

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.06.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.10981 of 2018

Chandresan

...Petitioner

Versus

- 1.The Commissioner,
Greater Chennai Corporation,
Chennai - 600 003.
 - 2.The Executive Engineer,
Town Planning Approval Section,
Ward N061, Zone N05,
Regional Office North,
Greater Chennai Corporation,
105, Basin Bridge Road,
Royapuram, Chennai - 600 079.
 - 3.The Assistant Executive Engineer,
Town Planning Approval Section,
Ward N061, Zone N05,
Regional Office North,
Greater Chennai Corporation,
105, Basin Bridge Road,
Royapuram, Chennai - 600 079.
- ...Respondents

Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorarified Mandamus, to call for the records pertaining to the orders in W.D.C.No.TP.PPA/WDCN05/06415/2015, dated 16.4.2018 on the file of the 2nd respondent, quash the same and for issuing a direction, directing the respondents to issue the planning permission to the petitioner herein for the premises in New Door No.35, 37 and 39 Old No.20, 21 and 22 with a total extent of 5501 Sq.ft in Survey No.869/3, 4, 5 Pantheon Road, Egmore, Chennai without insisting the petitioner to execute gift deed in favour of the 1st respondent for the area of 635 Sq.ft earmarked for the purpose of road widening as requisitioned in the order in PPA/WDCN05/06415/2015 dated 16.4.2018 on the file of the 3rd respondent.

For Petitioner : Mr.J.Titus Enock

For Respondents : Mr.T.C.Gopalakrishnan
Standing Counsel

O R D E R

This writ petition has been filed to call for the records pertaining to the orders in W.D.C.No.TP.PPA/WDCN05/06415/2015, dated 16.4.2018 on the file of the 2nd respondent, quash the same and for issuing a direction to the respondents to issue the planning permission to the petitioner herein for the premises in New Door No.35, 37 and 39 Old No.20, 21 and 22 with a total extent of 5501 Sq.ft in Survey No.869/3, 4, Pantheon Road, Egmore, Chennai, without insisting the petitioner to execute gift deed in favour of the 1st respondent for the area of 635 Sq.ft earmarked for the purpose of road widening as requisitioned in the order in PPA/WDCN05/06415/2015 dated 16.4.2018 on the file of the 3rd respondent.

2. Heard Mr.Titus Enock, learned counsel for the petitioner and Mr.T.C.Gopalakrishnan, learned Standing counsel appearing for the respondents.

3. The learned counsel for the petitioner as well as the learned Standing counsel appearing for the respondents submitted that the issue involved in this writ petition is squarely covered by the earlier order of this Court in P.Jeevanantham Vs.The Commissioner of Town and Country Planning, Chennai and 3 others (W.P.(MD)No.16071 of 2017, dated 07.07.2015), in which this Court has followed the earlier order in G.Dilip Kumar and 5 others v. The Member Secretary, Chennai Metropolitan Development Authority [W.P.Nos.148 of 2014, 18541 of 2012, 12581 of 2012 and 5188 of 2013 decided on 06.02.2015]

4. Following the same, this writ petition is disposed of on the same terms. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

1.The Commissioner,
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Chennai - 600 003.

2.The Executive Engineer,
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Regional Office North,
Greater Chennai Corporation,
105, Basin Bridge Road,
Royapuram, Chennai - 600 079.

+1cc to Mr.J.Titus Enock, Advocate Sr.35462

+1cc to Mr.T.C.Gopalakrishnan, Advocate Sr.35546

W.P.No.10981 of 2018

vgi[col]
srg 28/06/2018

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