

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.03.2018

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P No.9576 of 2010
and
M.P.No.1 of 2010

Kuppan
Rep.by his Power Agent
Mr.Navaneetha Krishnan ..Petitioner

Vs

1.The Commissioner,
The Town and Country Planning,
Office of the Town and County Planning,
807, Anna Salai,
Chennai - 600 002.

2.The Deputy Director,
The Town and Country Planning,
Office of Town and County Planning,
Chengalpattu Division,
Chengalpattu.

3.M/s.BLB Estates (P) Ltd.,
"Sree Audishesu Bhavan",
No.21, Chinnaiah Street,
T.Nagar, Chennai - 17. ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the 1st and 2nd respondents to revoke the plan sanction, 167/2005, issued by the 2nd respondent to the third respondent in so far as S.Nos.417/1, 417/2, 419/1 and 419/5 of Chettipunniyam Village, Kancheepuram Taluk, Chengalpattu District.

For Petitioner : Mr.Sivashanmugam
For Respondents : Mr.N.Manikandan
Government Advocate, for R1 & R2
Mr.T.Ravi Kumar, for R3

O R D E R

<https://hcservices.ecourts.gov.in/hcservices> The petitioner has come up with the present writ

petition seeking for a direction to the respondents 1 and 2 to revoke the plan sanction No. 167/2005, issued by the second respondent to the third respondent in respect of the lands in S.Nos.417/1, 417/2, 419/1 and 419/5 of Chettipunniyam Village, Kancheepuram Taluk, Chengalpattu District.

2. Heard the learned counsel for the petitioner, the learned Government Advocate appearing for the respondents 1 and 2 and the learned counsel for the third respondent.

3. The case of the petitioner is that he is an absolute owner of the lands in S.No.417/1 to an extent of 0.51.5 Hectares, S.No.417/2 to an extent of 0.19.0 Hectares, S.No.419/1 to an extent of 0.90.5 Hectares and S.No.419/5 to an extent of 0.35.0 Hectares. But, these lands have been included in the approved lay out of the third respondent.

4. The learned counsel for the petitioner submitted that despite objections raised by the petitioner dated 25.3.2009, the approval was granted in favour of the third respondent.

5. The learned Government Advocate appearing for the respondents 1 and 2 submitted that the second respondent has given only technical approval for the layout. He has further submitted that, if a fresh representation is given by the petitioner to the first respondent, it would be considered in accordance with law.

6. Taking note of the above facts and the submissions made by the learned counsel on either side, this Court, without going into the merits of the case, directs the petitioner to give a fresh representation to the first respondent, within a period of two weeks, from the date of receipt of a copy of this order. On such compliance, the first respondent shall pass appropriate orders on merits and in accordance with law, after affording an opportunity of personal hearing to all the necessary parties, within a period of twelve weeks there from.

7. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Commissioner,
The Town and Country Planning,
Office of the Town and County Planning,
807, Anna Salai,
Chennai - 600 002.

2.The Deputy Director,
The Town and Country Planning,
Office of Town and County Planning,
Chengalpattu Division,
Chengalpattu.

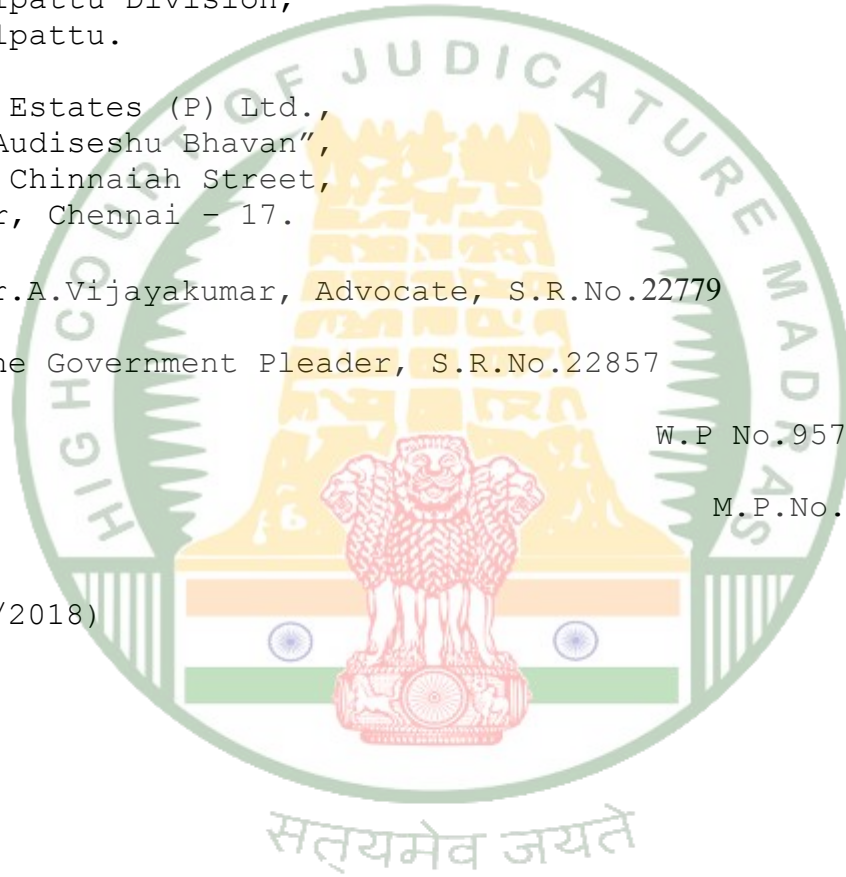
3.M/s.BLB Estates (P) Ltd.,
"Sree Audishesu Bhavan",
No.21, Chinnaiah Street,
T.Nagar, Chennai - 17.

+1cc to Mr.A.Vijayakumar, Advocate, S.R.No.22779

+1cc to the Government Pleader, S.R.No.22857

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GSP (06/04/2018)



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