

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.21160 of 2013

P.Mari ... Petitioner

Vs.

1.The Secretary to Government,
Housing and Urban Development Authority,
Government of Tamil Nadu,
Fort St.George, Chennai - 600 009.

2.Chennai Metropolitan Development Authority,
Rep.by its Member Secretary,
Gandhi Irwin Road,
Egmore, Chennai - 8.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus, directing the second respondent to implement the provisions of G.O.Ms.No.71, Housing and Development (TD.1) Department, dated 25.2.1999 and consequently delegate to the concerned Village Panchayat Presidents, the power to sanction the building planning permission for the Panchayat areas coming within the Chennai Metropolitan Development Authority area limit.

For Petitioner : Mr.V.Perumal

For Respondents : Mr.B.Anand
Government Advocate for R1
Mr.P.S.Ganesh for R2

O R D E R

Heard Mr.V.Perumal, learned counsel for the petitioner, Mr.B.Anand, learned Government Advocate for the first respondent and Mr.P.S.Ganesh, learned counsel for the second respondent and perused the materials available on record.

2. The petitioner has come forward with this writ petition for issuance of a writ of mandamus, to direct the second respondent to implement the provisions of G.O.Ms.No.71, Housing and Development (TD.1) Department, dated 25.2.1999 and

consequently delegate the powers to the concerned Village Panchayat Presidents, for sanctioning the building planning permission for the Panchayat areas coming within the Chennai Metropolitan Development Authority area limit.

3. The learned counsel for the second respondent submitted that by proceedings dated 23.06.2009 and 20.12.2016, the second respondent has delegated the powers to the local bodies under Section 9-c(3) of the Tamil Nadu Town and Country Planning Act, 1971, so as to facilitate speedy disposal of the ordinary building plan proposals.

4. Recording the submissions made by the learned counsel for the second respondent, this Court is of the opinion that no further adjudication is required in this writ petition. Accordingly, this writ petition is closed. However, there shall be no order as to costs.

s/d-
Assistant Registrar(CS VIII)

True Copy

Sub-Assistant Registrar

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To

1.The Secretary to Government,
Housing and Urban Development Authority,
Government of Tamil Nadu,
Fort St.George, Chennai - 600 009.

2.The Member Secretary,
Chennai Metropolitan Development Authority,
Gandhi Irwin Road,
Egmore, Chennai - 8.

+1 CC to Mr.V. Perumal, Advocate sr 48896.
+1 CC to The Govt. Pleader sr 49334.

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BR(CO)
SP(14/08/2018)