

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 09.01.2018
CORAM:
THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM
W.P.No. 23383 of 2016

G.Kumararaja

..Petitioner

.Vs.

1. The Commissioner Corporation of Chennai,
Chennai-600 003.
2. The Executive Engineer
Town Planning Approval Section, Regional Office
South, Greater Chennai Corporation,
No.115, Dr. Muthulakshmi Salai,
Adayar, Chennai-600 020.
3. The Tahsildar
Sriperumbudur Taluk,
Sriperumbudur,
Kanchipuram District.
4. The Tahsildar,
Alandur Taluk,
Alandur, Chennai - 600 016.
5. The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu - Natarajan Maligai,
No.1, Gandhi Irwin Road, Egmore, Chennai - 600 008.
6. The Executive Officer,
Molulivakkam Village Panchayat,
Kanchipuram District.

....Respondents

(R05 & R6 are impleaded as per order
dated 20.03.2017 in WMP. No.7326 of 2017 in Wp.No.23383 of
2016)

Prayer: The writ petition filed under Article 226 of the
Constitution of India to issue a writ of Certiorarified
Mandamus calling for the records on the file of the Executive
Engineer, Town Planning Approval Section, Regional Office

South, Greater Chennai Corporation, 115, Dr.Muthulakshmi Salai, Adayar, Chennai-600 020, the second respondent herein order dt.22.6.2016 and quash the same and consequently direct the second respondent to issue site approval for S.No.142/3, Mahalakshmi Nagar, Madhananthapuram, Mugalivakkam Chennai - 600 125 within a time frame.

For Petitioner : Mr.A.V.Arun

For Respondents 1 & 2: Mr.T.C.Gopalakrishnan

R5 : MR.C.Johnson Sr.Counsel
For R3,4 & R6 : MR.V.Shanmugasundar,
Spl.Government Pleader

ORDER

The writ petition has been filed to issue a Writ of Certiorarified Mamdamus to quash the order of the second respondent dated 22.06.2016 and consequently direct the second respondent to issue site approval for S.No. 142/3 in Mathandapuram, Mugalivakkam, Chennai- 600 125.

2.Mr.A.V.Arun learned counsel appearing for the petitioner would submit that now the petitioner has given an application to the second respondent for sub division of plot in S.No.142/3 and it is suffice if a direction is issued to the second respondent to consider the application in the light of the G.O.M.S.No78 dated 04.05.2017.

3.Mr.T.C.Gopalakrishnan, learned counsel appearing for the first and fifth respondent would submit that if the petitioner produces all relevant documents, the application of the petitioner will be considered in accordance with law, without reference to the order impugned in this writ petition.

4. In the light of the above submissions, the writ petition is disposed of with the direction to the second respondent to consider the application of the petitioner for sub division/site approval of the property and pass appropriate orders in the light of the G.O.M.S.No:78 dated 04.05.2017 after providing due opportunity to all the necessary parties within a period of 12 weeks from the date of receipt of a copy of this order.

5. Accordingly, the writ petition stands disposed of. No costs.

smn

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To.

1. The Commissioner Corporation of Chennai, Chennai-600 003
2. The Executive Engineer
Town Planning Approval Section, Regional Office
South, Greater Chennai Corporation,
No.115, Dr. Muthulakshmi Salai,
Adayar, Chennai-600 020.
3. The Tahsildar Sriperumbudur Taluk,
Sriperumbudur, Kanchipuram District.
4. The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu - Natarajan Maligai,
No.1, Gandhi Irwin Road,
Egmore, Chennai - 600 008.
5. The Executive Officer,
Molulivakkam Village Panchayat,
Kanchipuram District.
6. The Tahsildar
Alandur Taluk,
Alandur, Chennai - 600 016.

+1cc to M/s.T.C.Gopalakrishnan, Standing counsel sr.No.1696
+1cc to M/s.A.V.Arun, Advocate Sr.No.1981
+1cc to M/s.C.Johnson, Standing Counsel for CMDA SR.No.1703

NRI (CO)
sm:8.2.2018

सत्यमेव जयते

W.P.No. 23383 of 2016
1/2

WEB COPY