

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 01.08.2018

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P.No.18985 of 2018
and
W.M.P.No.22385 of 2018

Mukesh M. Ranka

... Petitioner

Vs.

1. The Commissioner,
Greater Chennai Corporation,
Ribbon Building,
Chennai-600 003.
 2. The Assistant Executive Engineer,
Greater Chennai Corporation,
Town Planning Section-North Region,
No.61, Basin Bridge Road,
Royapuram, Chennai-600 003.
- ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records of the second respondent in proceedings in WDC No.PPA/WDC N05/04736/2018, dated 17/07/2018 and quash the same and further direct the respondents to forthwith issue planning permission to the petitioner herein in respect of the petitioner's application dated 29.06.2018, without insisting on handing over of area through a registered gift deed to the Greater Chennai Corporation, the respondent herein.

For Petitioner : Mr.Venkateswaran

For Respondents : Mr.V.C.Selvasekaran
Standing Counsel

ORDER

Heard Mr.Venkateswaran, learned counsel for the petitioner and Mr.V.C.Selvasekaran, learned Standing Counsel for the respondents and perused the materials available on record.

2. The prayer sought for in this writ petition is for a issuance of writ of certiorarified mandamus, to quash the order of the second respondent in proceedings in WDC No.PPA/WDCN05/04736/2018, dated 17.07.2018.

3. It is submitted by the learned counsels on either side that the issue involved in this writ petition is squarely covered by the order passed by this Court in a batch of writ petitions in W.P.No.148 of 2014 etc., dated 06.02.2015, which reads as follows:

"7. Therefore, this Court is of the view that the same direction should be issued in these cases also. Accordingly, the writ petitions are disposed of, directing the petitioners to submit an affidavit of undertaking not to put up any construction in the area earmarked for the purpose of road widening and keeping the area clear and also undertake to surrender the portion for implementation of road widening without prejudice to their right to claim compensation. If such affidavit is filed, the respondents shall consider the same and process the application in accordance with the statutory provisions. No costs. Consequently, connected miscellaneous petitions are closed."

5. In the light of the above submissions made by the learned counsels on either, this writ petition is disposed of on the above terms and conditions. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Deputy Registrar

// True Copy//

Sub Assistant Registrar

To

1. The Commissioner,
Greater Chennai Corporation,
Ribbon Building,
Chennai-600 003.
2. The Assistant Executive Engineer,
Greater Chennai Corporation,
Town Planning Section-North Region,
No.61, Basin Bridge Road,
Royapuram, Chennai-600 003.

+1 cc to MR.M.VENKATESWARAN, Advocate SR.No.52260

W.P.No.18985 of 2018

and

W.M.P.No.22385 of 2018