

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2018

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.34415 of 2016
and
WMP.Nos.29645 & 29646 of 2016

Maragatham

... Petitioner

Vs.

The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road,
Egmore, Chennai - 600 008.

... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, to call for the records on the file of the respondent dated 11.09.2016 in letter No.B5(1)/30740/2003 and quash the same.

For Petitioner : Ms.Thenmozhi Shiva Perumal

For Respondent : Mr.P.Tamilmani for CMDA

O R D E R

Heard the learned counsel for the petitioner and learned Standing Counsel for the respondent and perused the materials available on record.

2. The petitioner has come forward with this writ petition to quash the order of the respondent, dated 11.09.2016, whereby the regularisation application of the petitioner was rejected.

3. The learned counsel for the petitioner submitted that during the pendency of the Writ Petition, as per the direction of this Court, a representation was given and in the counter, it is stated that the representation was rejected on 03.11.2016, but rejection order was not served on the petitioner.

4. The learned standing counsel for the respondent would state that the rejection order was sent to the petitioner, but there is no proof and he is ready to serve the rejection order, dated 03.11.2016 to the learned counsel for the petitioner. The rejection order has been served across the bar, on the learned counsel for the petitioner.

5. It is contended by the learned counsel for the petitioner that the petitioner has to prefer a revision before the Government, within a period of 30 days as per the provisions of the Act. Since it is served today, the petitioner may be directed to file revision, calculating limitation from today.

6. In the light of the above submissions, the Writ Petition is disposed of, directing the petitioner to file a revision to the Secretary to Government, Housing and Urban Development, within a period of 30 days from the date on which the order copy is made ready. On such compliance, the concerned authority shall dispose of the revision on merits and in accordance with the law.

7. With the above direction, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

To

The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road,
Egmore, Chennai - 600 008.

+1cc to Mr.P.Tamil Mani, Advocate, S.R.No.44885

+1cc to Mr.Thenmozhi Sivaperumal, Advocate, S.R.No.45112

W.P.No.34415 of 2016
and
WMP.Nos.29645 & 29646 of 2016

PPA(CO)
GSP(26/07/2018)