

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2018

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.37908 of 2016
and W.M.P.No.32483/2016

Nethrodaya

..Petitioner

Versus

1.The Secretary to Government
Housing and Urban Development
Department, Secretariat,
Chennai-600 009.

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

.. Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorarified Mandamus, calling for the records culminated in the 2nd respondent's impugned Letter No.C4/17250/2015, dated 04.10.2016 and quash the same, and consequently, direct the 2nd respondent to issue the approved building plan permission for the second floor construction to the petitioner without insisting for Infrastructure, Amenities, regularization fee and security deposit.

For Petitioner : Mr.R.Prabhakaran

For R1 : Mr.N.Manikandan, GA

For R2 : Mr.N.Sampath, Standing counsel

O R D E R

This writ petition is filed challenging the order of the second respondent in Letter No. C4/17250/2015, dated 04.10.2016 with a prayer to quash the same and for a direction to the second respondent to issue the approved building plan permission for the second floor.

2 Heard Mr.R.Prabhakaran, the learned counsel for the petitioner, Mr.N.Manikandan , learned Government Advocate for the first respondent and Mr.N.Sampath, learned standing counsel for the second respondent and perused the records.

3 It is submitted by the learned counsel for the petitioner that in W.M.P.No.1452 of 2017 in the above Writ petition, this Court passed a conditional order. The petitioner challenged the said order by preferring W.A.No.787 of 2017 and the Division Bench while setting aside the order of this Court dated 17.03.2017, directed the petitioner to submit a representation to the respondent. Accordingly, the petitioner submitted a representation to the respondents within the time stipulated by this Court. Despite receipt and acknowledgment, the respondents have not passed any orders.

4 The learned counsel for the petitioner submitted that since the respondent has not complied with the order of this Court dated 10.08.2017 in disposing of the petitioner's representation, the petitioner is taking steps to file contempt application against the respondents.

5 The learned standing counsel for the 2nd respondent submitted that the representation of the petitioner would be considered within a period of eight weeks from the date of receipt of a copy of this order.

6 In the light of the above facts, this Court is of the opinion that no further adjudication is necessary in this writ petition, this writ petition is closed. No costs.

s/d-

Assistant Registrar(CS VII)

True Copy

सत्यमेव जयते
Sub-Assistant Registrar

rp1
To

1 The Secretary to Government
Housing and Urban Development
Department, Secretariat,
Chennai-600 009.

WEB COPY

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

+1 CC to The Govt. Pleader sr 10275.
+1 CC to Mr.R. Prabhakaran, Advocate sr 9871.
+1 CC to Mr.N. Sampath, Advocate sr 9248.

W.P.No.37908 of 2016

PA (CO)
SP(01/03/2018)



WEB COPY