

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 03..10..2018
CORAM

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition No.25775 of 2018

S.Asokan

... Petitioner

-Versus-

- 1.The Principal Secretary,
Housing and Urban Development Department,
Fort. St. George,
Secretariat, Chennai 600009.
- 2.The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajar Building,
Gandhi Erwin Road,
Egmore, Chennai 600008.
- 3.The Collector,
Kancheepuram,
Kancheepuram District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 2nd respondents to consider petitioners representation dated 21.03.2018 and grant early approval to petitioners Layout Application pending in the File No. L1/13587/2016 of the 2nd respondent in respect of petitioners lands measuring a total extent of 20.21 Acres situated in S.Nos.26/3 27/1 26/1 27/2 27/3 28/1 28/2 28/3 22 26/2A1 26/2A2 31/2 of Nedugundaram Village and S.No. 21/1 of Kolapakkam Village Chengalpet Taluk Kancheepuram District.

For Petitioner
For Respondents

: Mr.K.Balu
: Mr.P.S.Ganesh for R2
Mr.A.N.Thambidurai,
Spl. Govt. Pleader for
R1 and R3

ORDER

This writ petition has been filed seeking a direction to the 2nd respondent in the form of writ of mandamus for the grant of approval to the petitioner's layout based on his application dated 21.03.2018.

2. The case of the petitioner is that he and his wife jointly own the lands comprised in S.Nos.26/3 27/1 26/1 27/2 27/3 28/1 28/2 28/3 22 26/2A1 26/2A2 31/2 of Nedugundaram Village and S.No. 21/1 of Kolapakkam Village Chengalpet Taluk Kancheepuram District and the same have been classified as "Primary Residential Area" in the second master plan of the CMDA. It is the further case of the petitioner that he along with his wife intended to develop the lands and therefore, they plotted out their land, prepared a layout and submitted the same to the 2nd respondent for approval along with necessary documents and charges. The grievance of the petitioner is that the application submitted by him for approval as early as on 21.03.2018 has not yet been considered by the 2nd respondent.

2. Heard both sides.

3. The learned standing counsel appearing for the 2nd respondent, on instructions, submitted that the 2nd respondent raised some queries by way of two different communications, but, there was no response from the petitioner. In the event, the petitioner clarifies the queries, his application for approval would be considered by the 2nd respondent according to law.

4. Considering the limited relief sought for in the writ petition and the submissions made by the learned standing counsel for the 2nd respondent, this court, without going into the merits of the case, directs the 2nd respondent to consider the application of the petitioner dated 21.03.2018 for approval of layout on merits after giving sufficient opportunity to the petitioner and pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Principal Secretary,
Housing and Urban Development Department,
Fort. St. George,
Secretariat, Chennai 600009.

2.The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajar Building,
Gandhi Erwin Road,
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3.The Collector,
Kancheepuram,
Kancheepuram District.

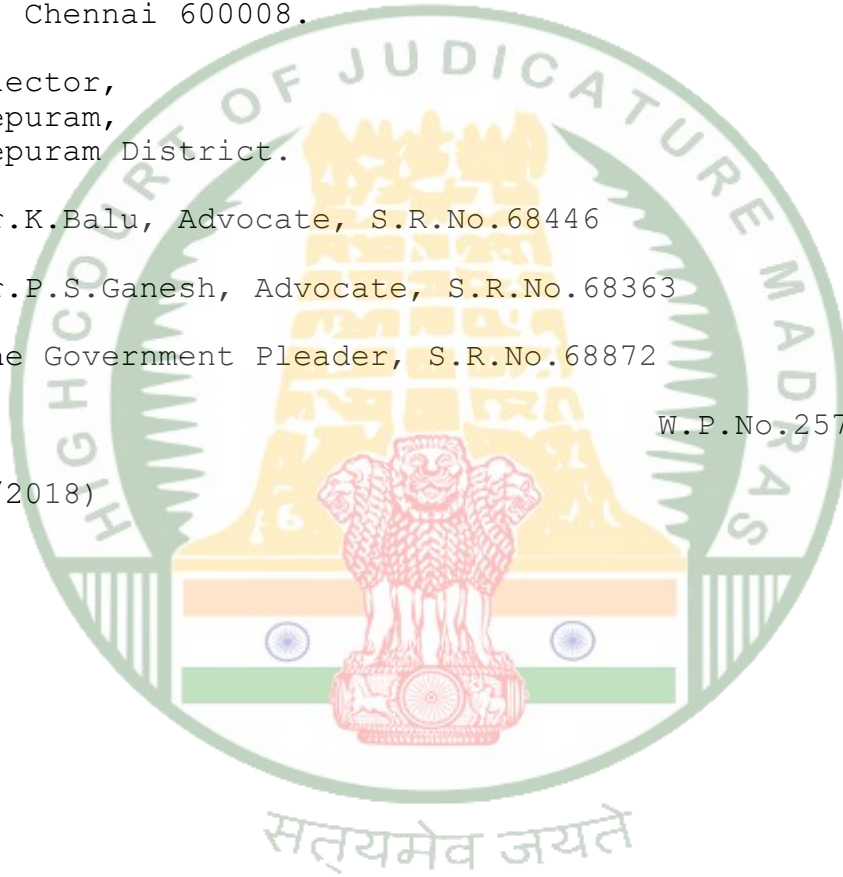
+1cc to Mr.K.Balu, Advocate, S.R.No.68446

+1cc to Mr.P.S.Ganesh, Advocate, S.R.No.68363

+1cc to the Government Pleader, S.R.No.68872

W.P.No.25775 of 2018

GSP(11/10/2018)



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