

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.08.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.12757 of 2011

And

M.P.No.3 of 2011

1.B.Amirtham

2.B.Karthikeyan

... Petitioners

Vs.

1.The Director,
Town and Country Planning,
807, Anna Salai, Chennai - 600 002.

2.The Madurai City Municipal Corporation,
Rep. by its Commissioner,
Alagar Kovil Road, Madurai.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records on the file of the 1st respondent in proceeding Na.Ka/9862/10 P.A.1 dated 14/06/2010 and the consequential proceedings of the 2nd respondent in NE5/04442/11 dated 16/05/2011 and quash the same as illegal, incompetent and without jurisdiction and to further direct the 2nd respondent to grant approval for construction of residential building to the petitioner for his property situate at 33 & 33A, Sivaganga Road, Sathamangalam, Ward No.VII, Madurai.

For Petitioners : Mr.V.Raghavachari

For Respondents : Mr.J.Ramesh for R1
Additional Government Pleader
Mrs.K.Bhuvaneswari for R2
Additional Government Pleader

O R D E R

The learned counsel appearing for the petitioners would submit that challenging the rejection of the application for planning permission, the writ petition has been filed. He would further submit that the application for planning permission was

rejected on 16.05.2011 and after several years nothing survives for adjudication. Hence, the petitioners are not inclined to pursue the writ petition. However, he requests that liberty may be granted to the petitioners to file fresh application.

2.In view of the submission made by the learned counsel appearing for the petitioners, liberty is granted to the petitioners to file fresh application. If any such application is filed by the petitioners, the respondents shall pass appropriate orders, in accordance with law.

3.The writ petition is accordingly disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Insp cell)

//True Copy//

Sub Assistant Registrar

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To

1.The Director,
Town and Country Planning,
807, Anna Salai, Chennai - 600 002.

2.The Commissioner,
Madurai City Municipal Corporation,
Alagar Kovil Road, Madurai.

+lcc to Mr.V.Raghavachari, Advocate, SR.70992

+lcc to the Government Pleader SR.72144

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RV(CO)
CB(10/10/2019)

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