

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.08.2019

CORAM :

THE HON'BLE MRS.VIJAYA K.TAHILRAMANI, CHIEF JUSTICE

AND

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.28890 of 2004 and

W.P.M.P.No.35088 of 2004

M/s.Balu Exports Private Limited,
rep by its Managing Director R.Balakumar,
61, C.P.Ramasamy Road,
Alwarpet, Chennai - 600 018. .. Petitioner

Vs.

The Chennai Metropolitan Development Authority,
rep by its Member Secretary,
No.1, Gandhi Irwin Salai,
Chennai - 600 008. .. Respondent

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of certiorarified mandamus calling for the records of the respondent comprised in communication under Ref.No.REG/I&I/C5/18408/99 dated 22.10.2003 and 02.06.2004 quash the same and consequently direct the respondent to consider the petitioner's application for regularization filed under the Application, Assessment and Collection of Regularization Fee (Chennai Metropolitan Area) Rules, 1999 in respect of the property situated at Door No.3/204, Singaravelar Street, Neelankarai, Chennai - 600 041.

For Petitioner : Mr.R.Parthasarathy

For Respondents: Mrs.Veena Suresh

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O R D E R

(ORDER OF THE COURT WAS MADE BY M.DURAI SWAMY, J.)

The petitioner has filed the above Writ Petition to issue a Writ of certiorarified mandamus to call for the records of the respondent with regard to the communication dated 22.10.2003 and 02.06.2004 and to quash the same and consequently direct the respondent to consider the petitioner's application for regularization

filed under the Application, Assessment and Collection of Regularization Fee (Chennai Metropolitan Area) Rules, 1999 in respect of the property situated at Door No.3/204, Singaravelar Street, Neelankarai, Chennai.

2.By communication dated 22.10.2003, the respondent informed the petitioner that his regularization application made during 1999 cannot be considered for the reason that he has not furnished self-assessment and applied under the Regularization 2000, 2001 and 2002 Schemes. Subsequently, by communication dated 02.06.2004, the respondent informed the petitioner that the petitioner has not made any fresh grounds in his representation dated 07.05.2004 to reconsider the decision taken already in their letter dated 22.10.2003. Further, the respondent informed the petitioner that he has not applied for regularization under 2000, 2001 & 2002 Schemes.

3.When the Writ Petition is taken up for hearing, the learned counsel appearing for the petitioner submitted that the petitioner submitted a representation dated 01.07.2019 to the respondent and by letter dated 03.07.2019, the respondent informed him that the application submitted by the petitioner on 29.05.1999 is still under process. The learned counsel for the petitioner further submitted that it would suffice to direct the respondent to dispose of the petitioner's application dated 29.05.1999 within a time frame.

4.Mrs.Veena Suresh, learned counsel appearing for the respondent submitted that the respondent would dispose of the petitioner's application dated 29.05.1999 within a period of eight weeks.

5.Since the learned counsel for the respondent submitted that the petitioner's application would be disposed of within a period of eight weeks, we do not find any reason to give further direction to the respondent. Recording the submission made by the learned counsel for the respondent, the Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS III)

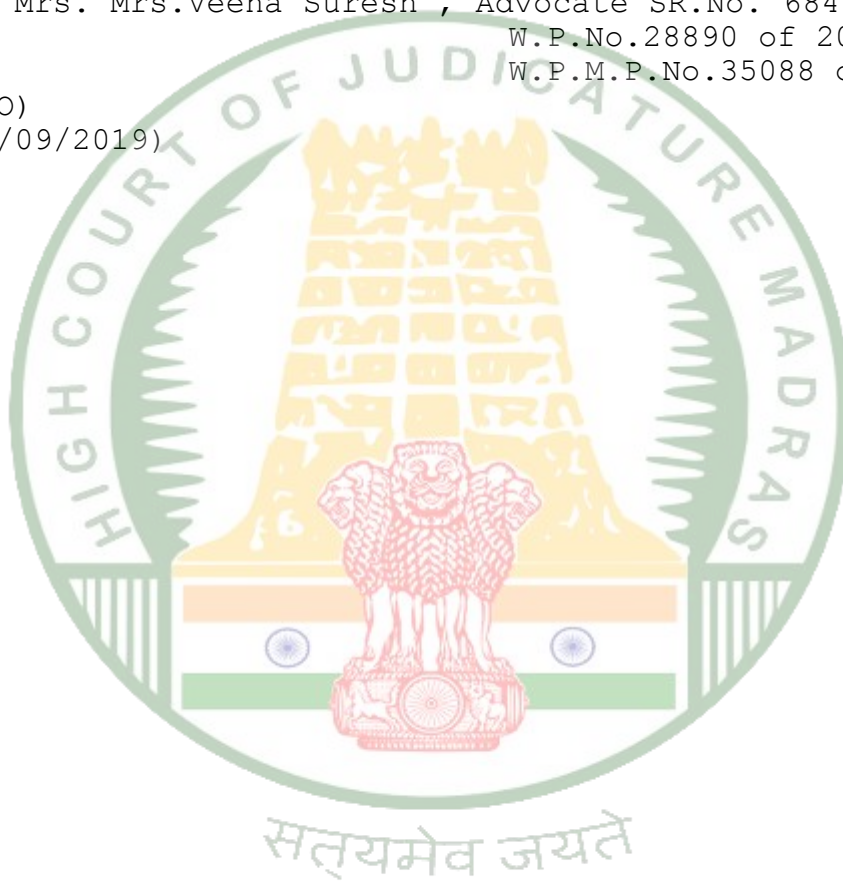
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Sub Assistant Registrar

va
To

The Member Secretary,
Chennai Metropolitan Development Authority,
No.1, Gandhi Irwin Salai,
Chennai - 600 008.

+3ccs to Mr.R.Parthasarathy , Advocate SR.No. 68194
+1cc to Mrs. Mrs.Veena Suresh , Advocate SR.No. 68401
W.P.No.28890 of 2004 and
W.P.M.P.No.35088 of 2004
nr (CO)
A.SK(16/09/2019)



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