

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.09.2019

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.25605 & 25606 of 2011

M/s Gnanaguru Developers Pvt.Ltd.,
rep by its Director Mr.L.S.Abhinesha Babu
No.33, Nathamuni Street, Naduvankarai
Anna Nagar, Chennai 600 040 .. Petitioner in both the
petitions

-vs-

The Member Secretary
Chennai Metropolitan Development Authority (CMDA)
No.1, Gandhi Irwin Road
Egmore, Chennai 600 008 ... Respondent in both the
petitions

W.P.No.25605 of 2011 is filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records of the respondent herein issuing impugned order dated 16.03.2011 in its proceedings letter No.C3/249/11 wherein the respondent had illegally and arbitrarily rejected the petitioner's planning permission for construction of Multi-storied shopping mall at GST Road, Tambaram, Ward F in S.Nos.53/7, 54/2B, 68/1B, 53/3B, 53/4B, 53/5B, 53/6B, 68/2, 68/1A, 53/3A, 53/1B, 54/3B, T.S.No.3 to 14 Block No.20 of Irumbuliyur Village and quash the same and further direct the respondent herein to issue planning permission to the petitioner by considering the site as deemed mixed Residential Zone/Commercial Zone as per the Regulation 6 (7) and (8) of Development Regulations for Chennai Metropolitan Area.

W.P.No.25606 of 2011 is filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondent herein to consider the petitioner's statutory representation dated 27.08.11 made under regulation 35 and 36 of development regulations for Chennai Metropolitan Area for exempting the petitioner with regard to plot coverage and providing the petitioner and opportunity of constructing bigger horizontal floor plate and achieving the maximum achievable FSI of 2.5 along with Premium FSI of 1 (Totalling to FSI of 3.5) as per the parameters under regulation 28 of Development

For Petitioner	::	No appearance
For Respondent	::	Mr.P.Tamilmani Standing Counsel

When the matters were taken up on 9.9.2019, there was no representation for the petitioner. Therefore, the Registry was directed to list the writ petitions under the caption "for dismissal". When the writ petitions have been listed under the caption "for dismissal", today also, there is no representation for the petitioner. Hence, the writ petitions are dismissed for non prosecution. Consequently, M.P.No.1 of 2011 is also dismissed.

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1. The Member Secretary
Chennai Metropolitan Development Authority (CMDA)
No.1, Gandhi Irwin Road
Egmore, Chennai 600 008

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