

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 11.04.2019
CORAM
THE HONOURABLE Mr.JUSTICE D.KRISHNAKUMAR

W.P.No.10517 of 2019

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Petitioner

Vs.

1.The Commissioner,
Corporation of Chennai, Rippon Building,
Chennai - 600 003.

2.The Superintending Engineer,
Town Planning Department,
Rippon Building, Chennai - 600 003.

3.The Junior Engineer /
Assistant Engineer,
Town Planning Department,
Corporation of Chennai,
Zone-4, Division-35, Thondayarpur,
Chennai - 600 003.

4.The Tahsildar,
Perambur Taluk,
Perambur, Chennai - 600 018.

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Respondents

Prayer:- The Writ Petition is filed under Article 226 of the Constitution of India, seeking for issuance of Writ of Mandamus, directing the second respondent to grant plan approval for construction of the petitioner house pursuant to his representation dated 30.03.2019.

For Petitioner : Mr.R.Thirumoorthy

For Respondents : Mrs.Karthikaa Ashok
Standing Counsel for R1 to R3
Mr.V.Shanmugasundar
Special Government Pleader for R4

O R D E R

In this Writ Petition, the petitioner seeks for issuance of Writ of Mandamus, directing the second respondent to grant plan approval for construction of her house, based on the representation, dated 30.03.2019.

2. According to the petitioner, she submitted an application dated 21.12.2018 to the first respondent, seeking planning approval for construction of house at her property situated in Door No.44/1, Dr.Ambedkar Street in New Survey No.778/4, Block No.29 of Kodungaiyur Village, Chennai-118, along with all requisite documents. Since there was no response, the petitioner made representation to the respondents on 30.03.2019 for granting approval for the plan submitted along with requisition made on 21.12.2018. However, no order has been passed. Hence, the present Writ Petition.

3. The learned Standing Counsel appearing for the respondents 1 to 3 would submit that the application of the petitioner was scrutinized and the same was returned as "unapproved" by the Executive Engineer, Greater Chennai Corporation, Chennai on 05.02.2019, as the petitioner has not complied with the defects as pointed out by the Assistant Executive Engineer, Greater Chennai Corporation, Chennai, in his letter dated 12.01.2019. It is further submitted that the returned letter was available in the website and it was also duly intimated to the petitioner.

4. Today, the learned Standing Counsel appearing for the Corporation also served the Communication dated 12.01.2019 as well as the rejection order dated 05.02.2019, to the learned counsel appearing for the petitioner.

5. Recording the submission of the learned Standing Counsel for the Corporation and the Communication dated 12.01.2019 of the Assistant Executive Engineer, Greater Chennai Corporation, Chennai as well as the rejection order dated 05.02.2019 of the Executive Engineer, Greater Chennai Corporation, Chennai, the Writ Petition is dismissed with liberty to the petitioner to make a fresh application for seeking planning approval. There is no order as to costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

r n s

To

1.The Commissioner,
Corporation of Chennai,
Rippon Building,
Chennai - 600 003.

2.The Superintending Engineer,
Town Planning Department,
Rippon Building, Chennai - 600 003.

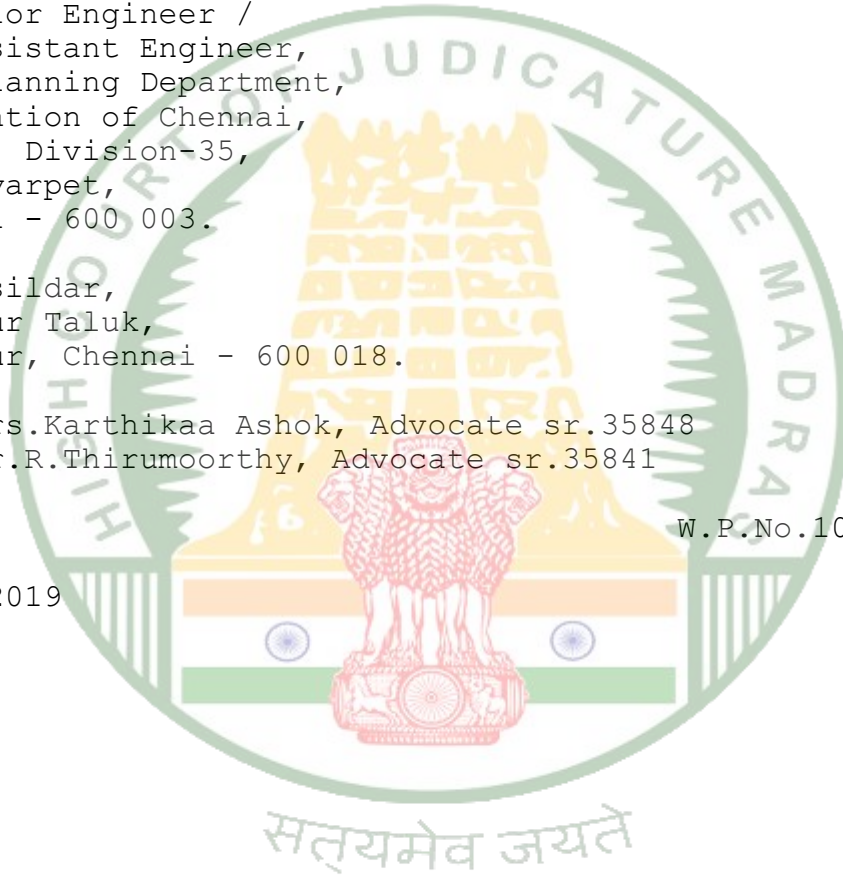
3.The Junior Engineer /
Assistant Engineer,
Town Planning Department,
Corporation of Chennai,
Zone-4, Division-35,
Thondayarpur,
Chennai - 600 003.

4.The Tahsildar,
Perambur Taluk,
Perambur, Chennai - 600 018.

+lcc to Mrs.Karthikaa Ashok, Advocate sr.35848
+lcc to Mr.R.Thirumoorthy, Advocate sr.35841

W.P.No.10517 of 2019

nr 20/06/2019



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