

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2020

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

Writ Petition No.710 of 2020
and
W.M.P.No.853 of 2020

G.Appandu
S/o.Gopal

... Petitioner

Vs

- 1.The Commissioner,
Corporation of Greater Chennai,
Chennai - 600003.
- 2.The Executive Engineer (TP. Enforcement),
Corporation of Chennai,
Central Zone (VIII),
2nd Cross Street (East), Pulla Avenue,
Thiru-vi-Ka Park, Shenoy Nagar,
Chennai - 600030.
- 3.The Assistant Executive Engineer,
Unit-22, Town Planning Approval Section,
Regional Office Centre,
Corporation of Chennai,
No.36-G, Pulla Avenue, Shenoy Nagar,
Chennai - 600030.
- 4.The Assistant Engineer,
Division-106,
Town Planning Approval Section,
Regional Office Centre,
Corporation of Chennai,
No.36-G, Pulla Avenue,
Shenoy Nagar,
Chennai - 600030.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records of respondents pursuant to impugned Check List dated 02.05.2019 and quash the same and consequently direct respondents to sanction building plan approval for rear side portion of the property comprised in

Old No.19/3, New T.S.Nos.51/3, 51/6, Block No.24, Zone No.8, Division No.106, situated at Door Nos.15 & 16, Siraj Street, Arumbakkam Village, Aminjikarai Taluk, Chennai District, by considering the petitioner's Application/File No.COC/ 6169/19, dated 02.05.2019 and for regularization under Section 113C of Tamil Nadu Town and Country Planning Act, 1971, r/w G.O.Ms.No.110 and G.O.Ms.No.111, Housing and Urban Development [UD-4(3)] Department dated 22.06.2017 and G.O.Nos.147 and 148, Housing and Urban Development [UD1] Department dated 26.10.2018.

For Petitioner : Mr.AR.L.Sundaresan, senior counsel
for Ms.AL.Ganthimathi

For Respondents: Mrs.Karthikaa Ashok

O R D E R

[Order of this Court was made by R.SUBBIAH, J]

The present petition has been filed seeking quash of impugned Check List dated 02.05.2019 issued by respondents and consequently, direct respondents to sanction building plan approval for rear side portion of the property comprised in Old No.19/3, New T.S.Nos.51/3, 51/6, Block No.24, Zone No.8, Division No.106, situated at Door Nos.15 & 16, Siraj Street, Arumbakkam Village, Aminjikarai Taluk, Chennai District, by considering the petitioner's Application/File No.COC/ 6169/19, dated 02.05.2019 and for regularization under Section 113C of Tamil Nadu Town and Country Planning Act, 1971, r/w G.O.Ms.No.110 and G.O.Ms.No.111, Housing and Urban Development [UD-4(3)] Department dated 22.06.2017 and G.O.Nos.147 and 148, Housing and Urban Development [UD1] Department dated 26.10.2018.

2. Heard learned senior counsel appearing for petitioner and learned standing counsel appearing for respondents.

3. Today, when the matter is taken up for consideration, learned standing counsel appearing for respondents Corporation submits that the petitioner's application dated 02.05.2019 has been rejected by respondents and hence, nothing survives for further adjudication in the present petition.

4. Learned counsel for petitioner submits that the rejection order was not communicated to the petitioner.

5. In view of the same, this Court directs respondents to communicate the rejection order within a period of one week from the date of receipt of this order. On receipt of the same, it is open to the petitioner to file an appeal

challenging the said order.

Accordingly, the Writ Petition is disposed of with the above direction. No costs. Connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

gm

To

- 1.The Commissioner,
Corporation of Greater Chennai,
Chennai - 600003.
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Chennai - 600030.

+1cc to Mrs.A.L.Ganthimathi, Advocate SR.4878
+1cc to Mrs.Karthikaa Ashok, Advocate SR.5130

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VG-II(CO)
CB(27/02/2020)