

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.11439 of 2013 and
M.P.No.1 of 2013

K.Balakrishnan

... Petitioner

v.

1.The Member Secretary CMDA,
No.1, Gandhi Irwin Road,
Egmore, Chennai - 08.

2. The Registrar,
Registrar Office,
District of South Chennai,
Kundrathur, Chennai.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuing a Writ of Mandamus directing the 1st respondent to receive and process the planning permission application of the petitioner which was returned vide their letter No.BC1/484/10, dated 16.08.2001 by accepting the guideline value for the particular survey number in which the property situated.

For Petitioners : Mr. S.Sundaresan

For Respondents : Mr.P.S.Ganesh for R1

Mr.P.P.Purushothaman,
Govt. Advocate - for R2

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O R D E R

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus, directing the 1st respondent to receive and process the planning permission application of the petitioner, which was returned vide letter dated 16.08.2001, by accepting the guideline value for the survey number, in which the property is situated.

2. When the Writ Petition is taken up for hearing, Mr.S.Sundaresan, learned counsel appearing for the petitioner submitted that he has instruction to withdraw the Writ Petition with liberty to file fresh petition under section 49 of the Town and Country Planning Act, before the 1st respondent seeking for fresh planning permission.

3. Mr.P.S.Ganesh, learned Standing Counsel, appearing for the 1st respondent, submitted that such liberty can be given in respect of obtaining fresh planning permission.

4. Recording the submissions made by the learned counsel on either side, the Writ Petition is dismissed as withdrawn. It is open to the petitioner to submit fresh application under section 49 of the Town and Country Planning Act, seeking for fresh planning permission. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Rj

To

1.The Member Secretary CMDA,
No.1, Gandhi Irwin Road,
Egmore, Chennai - 08.

2. The Registrar,
Registrar Office,
District of South Chennai,
Kundrathur, Chennai.

+1cc to the Government Pleader Sr.25297

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srg 03/08/2020