



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.08.2020

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.10026 of 2020 and

W.M.P.No.12187 of 2020

K.Jothi Raja

... Petitioner

Vs.

1.The Principal Secretary /Member Secretary
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Maligai,
No.1, Gandhi Irwin Road,
Egmore, Chennai 600 008.

2.The Block Development Officer,
St. Thomas Mount Panchayat Union,
20, Chitlapakkam Main road,
Chitlapakkam, Chennai 64.

3.The Sub-Registrar Office,
Padappai, Kancheepuram District.

4.South Chennai Co-operative
Housing Development Sangam Ltd.,
No.23, Kumaran Colony,
9th Street, Vadapalani,
Chennai 26.

5.D.Sathish

6.J.Deepa

...Respondents

PRAYER : Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Mandamus, directing the first and second respondents to dispose of the representation dated 22.04.2019 and 30.04.2019 pending with the first and second respondents and pass orders.

For Petitioner : Mr.U.Chandramouli

For Respondents: Mr.Thiruvenkatam for R1

Mr.E.Balamurugan

Standing Counsel for R2

Mr.T.M.Pappiah

Special Government Pleader for R3

O R D E R

This writ petition has been filed for the issuance of Writ of Mandamus directing the first and second respondents to



consider the representation made by the petitioner on 22.04.2019 and 30.04.2019 and pass orders within the time stipulated by this Court.

2.The case of the petitioner is that he is in possession and enjoyment of certain agricultural lands. Some of the adjacent lands which were originally agricultural lands was subsequently converted into a layout and steps were taken to develop those lands. The grievance of the petitioner is that the layout approval has virtually blocked the access of the petitioner to his agricultural land. The petitioner, therefore, made a representation to the respondents to redress the grievance. Since the same was not considered, the present writ petition has been filed before this Court seeking for appropriate direction.

3.Heard Mr.U.Chandramouli, learned Counsel appearing on behalf of the petitioner, Mr.Thiruvengkatam, learned Standing Counsel appearing on behalf of the first respondent, Mr.E.Balamurugan, learned Standing Counsel appearing on behalf of the second respondent and Mr.T.M.Pappiah, learned Special Government Pleader appearing on behalf of the third respondent.

4.Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in this writ petition, there shall be a direction to the first respondent to consider the representations made by the petitioner on 22.04.2019 and 30.04.2019 and deal with the same strictly in accordance with law and pass orders. The first respondent before conducting the enquiry and passing orders, shall issue notice to the respondents 4 to 6 and give them opportunity and thereafter, deal with the representations made by the petitioner. The petitioner is directed to make a fresh representation to the first respondent along with a copy of the representations dated 22.04.2019 and 30.04.2019 and all other relevant documents and also a copy of this order. The first respondent shall pass final orders within a period of eight weeks from the date of receipt of a copy of this order.

5.This writ petition is disposed of with the above direction. No costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar



Index:Yes/No
Internet:Yes/No
To

- 1.The Principal Secretary /Member Secretary
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Maligai,
No.1, Gandhi Irwin Road,
Egmore, Chennai 600 008.
- 2.The Block Development Officer,
St. Thomas Mount Panchayat Union,
20, Chitlapakkam Main road,
Chitlapakkam, Chennai 64.
- 3.The Sub-Registrar Office,
Padappai, Kancheepuram District.
- 4.The Government Pleader,
High Court, Madras.

+2ccs to M/s.Hemalatha , Advocate SR.No. 25918

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A.SK(20/08/2020)