

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2020

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
and
THE HON'BLE MRS.JUSTICE R.HEMALATHA

W.P.No.10330 of 2020
& W.M.P.No.12555 of 2020

1.M/s.Shrivatchaa shelter and
2.M/s.Lakna Housing (P) Ltd.,
Rep. by its Power of Attorney
M/s.Steps Stone Promoters Pvt. Ltd.
Through its Managing Director,
K.Mothish Kumar ... Petitioner

Vs

1.The Director,
Directorate of Town and Country Planning,
4th Floor, Chengalvarayan Building,
No.807, Anna Salai, Chennai 600 002.

2.The Deputy Director,
Directorate of Town and Country Planning,
Chengalpattu Region, No.124, GST Road,
Periyar Shopping complex,
Chengalpattu 603 001.

3.The District Collector,
Chengalpattu Collectorate,
Chengalpattu.

4.The District Revenue Officer,
Chengalpattu District, Chengalpattu.

5.The Tahsildar
Chengalpattu Taluk,
Chengalpattu.

6.District Forest Officer,
Chengalpattu Division,
No.5/9, Varadharaja,
Farms Vandavasi Road,
Kancheepuram 603 501.

7.The Forest Range Officer,
Chengalpattu Range, Chengalpattu District. .. Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Certiorarified Mandamus calling for the records with respect of the show cause notice in Ref. No.251/2019 dated 13/06/2019 and 04/07/2019 issued by the 7th respondent for S.No.6B comprising subdivisions with S.Nos.6B/2E1, 6B/2D1, 6B/2F1, 6B/2A , 6B/2B2, 6B/2B3 and 6B/2C2 for an aggregate extent of 3.42 acres situated at Kolathur village, Chengalpattu Taluk, Kancheepuram District and to quash the same on the ground that the notice is without authority and jurisdiction as the subject land not being declared as a Forest Reserve under the Madras Forest Act, At 5 of 1882 and consequently direct the 2nd respondent to approve the layout plan proposal of the petitioner in Na.Ka.No.5734/17/SEMA3.

For Petitioner .. Mr.Kamalakannan for
Ms.K.Jayasudha

For Respondents -- Mr.G.K.Muthukumar,
Spl. Govt Pleader for R1&R2

Mr.S.Prabhu, AGP (Forests) for RR 6 & 7

ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

What has been challenged by the petitioner is only a show cause notice for which a reply has already been given by the petitioner on 23.07.2019.

2. The learned counsel for the petitioner submitted that even as per the revenue records, the land in question is only a patta land.

3. We do not wish to go into the merits of the contention. In as much as the petitioner has given reply dated 23.07.2019 to the impugned show cause notice and more than one year has elapsed, we only call upon the 7th respondent to pass appropriate final orders within a period of six weeks from the date of receipt of a copy of this order.

4. It is needless to state that till such final orders are passed, no coercive steps shall be taken. We make it clear that if appropriate final orders have already been passed, then, this

order need not be complied with by the 7th respondent. In that case, the 7th respondent shall communicate a copy of the order once again to the petitioner within a period of two weeks from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar (CS-III)

//True copy//

Sub Assistant Registrar

mmi/ssm
To

- 1.The Director,
Directorate of Town and Country Planning,
4th Floor, Chengalvarayan Building,
No.807, Anna Salai, Chennai 600 002.
- 2.The Deputy Director,
Directorate of Town and Country Planning,
Chengalpattu Region, No.124, GST Road,
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- 5.The Tahsildar
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- 6.District Forest Officer,
Chengalpattu Division,
No.5/9, Varadharaja,
Farms Vandavasi Road,
Kancheepuram 603 501.
- 7.The Forest Range Officer,
Chengalpattu Range, Chengalpattu District.

+2cc to Mr.K.Jayasudha, Advocate SR.No.26418

+1cc to Government Pleader SR.No.26563

W.P.No.10330 of 2020

RSV(CO)
GMY (28/08/2020)