

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.09.2020

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.33200 of 2019

V.O.C.Primary School
Represented by its
Secretary S.P.Ambedkar Sekar
Old No.89, New No.84,
Kothavalchavadi Street
Saidapet, Chennai-600 015.

...Petitioner

Vs.

1.The District Collector
Chennai District
Singaravelar Maaligai
Rajaji Salai, Chennai-600 001.

2.The Personal Assistant to
The District Collector (General)
Chennai District.
Chennai-600 001.

3.The Revenue Divisional Officer
Central Madras
Mogappair, Chennai.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 3rd respondent to consider and pass orders on the representation made by the petitioner dated 25.03.2019, which was duly forwarded by the first respondent to the 3rd respondent vide letter 06.06.2019, seeking for grant of building licence to the petitioner's school.

For Petitioner : Ravichandran Sundaresan

For Respondent : Mr.M.D.Ilayaraja
Government Advocate

O R D E R

This matter is taken up for hearing through Video Conferencing mode.

2. This writ petition is filed seeking for mandamus directing the 3rd respondent to consider and pass orders on the representation made by the petitioner dated 25.03.2019, which was duly forwarded by the first respondent to the 3rd respondent vide letter 06.06.2019, seeking for grant of building licence to the petitioner's school.

3. It is stated that the petitioner is running a school and was granted permanent recognition by the Government of Tamil Nadu. It is further stated that under the provisions of the Tamil Nadu Public Buildings and Licensing Act, 1965, the petitioner has to apply for building licence from the concerned authorities and therefore, they made an application on 25.03.2019 for issuing building licence before the respondents 1 & 2. It is further stated that the petitioner is having all necessary certificates issued by the competent authorities in support of their claim. It is further stated that the first respondent, after acknowledging the application, forwarded the same to the third respondent on 06.06.2019 to take appropriate action on the application filed by the petitioner. It is stated that the third respondent has not passed any order on the application so far. Therefore, the present writ petition is filed with the relief as stated supra.

4. Considering the above stated facts and circumstances, this Court is of the view that it is for the third respondent to consider and pass orders on the application filed by the petitioner on merits and in accordance with law, as this Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner. Therefore, this Writ Petition is disposed of, only with a direction to the third respondent to consider the application dated 25.03.2019 filed by the petitioner seeking for building licence to the petitioner-School and pass orders on the same on merits and in accordance with law, after giving due opportunity of hearing to the petitioner. Such exercise shall be done by the third respondent within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CS I)
//True Copy//

Sub Assistant Registrar

mk/vri

To

- 1.The District Collector
Chennai District
Singaravelar Maaligai
Rajaji Salai, Chennai-600 001.
 - 2.The Personal Assistant to
The District Collector (General)
Chennai District.
Chennai-600 001.
 - 3.The Revenue Divisional Officer
Central Madras
Mogappair, Chennai.
- +1 cc to The Government Pleader, Sr.No. 31504

W.P.No.33200 of 2019

KJ(CO)
RMP(07/10/2020)



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