



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 26.10.2021

Coram :

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P. No. 22657 of 2021

1.M.V.Rajasekhar

2.C.Rameswaran

3.A.Prashanthram

.. Petitioners

Versus

1. The Pentecostal Mission

Rep. by P.G.Thomas,
S/o.Packiaraj
Society Registration under
Society Registration Act
S.V.Nagar, Irumbuliyur,
Srinivasa Nagar Post,
Chennai - 600 006.

2. The Member Secretary,
CMDA, No.1, Thalamuthu Natarajan Building,
Planning Division (CMDA),
Tower I, 2nd Floor,
Gandhi Irwin Road, Egmore,
Chennai - 600 008.

3. The Commissioner,
Greater Corporation of Chennai,
Rippon Building,
Egmore, Chennai - 600 008.

4. The Corporation of Chennai,
Zonal Officer, Zone 6,
No.5, Anderson Road,
Ayanavaram.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 2 and 3 to consider and dispose of the petitioners representation dated 14.09.2020.



WEB COPY

For Petitioner : Mr. K.V. Ramesh
For Respondent - 2 : Mr. G. Krishnaraja,
Government Counsel

ORDER

Mr. G. Krishnaraja, learned Government Counsel takes notice for the second respondent. By consent of both sides, this writ petition is taken up for final disposal at the stage of admission itself.

2. The present writ petition has been filed by the petitioners seeking to issue a Writ of Mandamus directing the respondents 2 and 3 to consider and dispose of the representation dated 14.09.2020 submitted by them.

3. The case of the petitioners is that they are the residents of State Bank Officers Colony, Jamalia Nagar, Perambur Barracks Road, Chennai - 600 012 where they are residing for several years. It is stated that by a registered sale deed dated 07.12.2018, the first respondent has purchased the vacant land measuring an extent of 2 grounds and 105 Sq.ft situated in Plot No.7, Old & New Door No.6 from (i) S.Ahmed (ii) A.Meeran Mohideen (iii) Madhi Rasool and (iv) KPM Mohammed Yasiga which was registered as Document No.7391 of 2018, on the file of Sub Registrar Office, Purasaiwalkam. According to the petitioners, when the first respondent applied for approval of the land purchased by them, the second respondent accorded approval subject to the outcome of Writ Petition (MD) No. 8948 of 2019 filed before the Madurai Bench of this Court in connection with the land purchased by the first respondent. However, the third respondent, without taking note of the pendency of the writ petition mentioned above, has accorded approval for building planning permission submitted by the first respondent. Therefore, the petitioners have submitted a representation on 14.09.2020 to the respondents 1 to 3, requesting to cancel the approval given to the first respondent for constructing a Church in the vacant land, however, the same was not considered. Hence, the petitioners have filed the present writ petition before this Court for the relief stated supra.

4. Considering the limited relief sought by the petitioners, without going into the merits of the case, this Court directs the respondents 2 & 3 to consider the petitioners' representation dated 14.09.2020 and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order, after



affording an opportunity of personal hearing to the petitioners as well as all the interested parties, if any.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mrr/rsh

To

1. The Member Secretary,
CMDA, No.1, Thalamuthu Natarajan Building,
Planning Division (CMDA),
Tower I, 2nd Floor,
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Chennai - 600 008.
2. The Commissioner,
Greater Corporation of Chennai,
Rippon Building,
Egmore, Chennai - 600 008.
3. The Corporation of Chennai,
Zonal Officer, Zone 6,
No.5, Anderson Road,
Ayanavaram.

+2ccs to Mr.K.V.Ramesh, Advocate, S.R.No.55816

+1cc to the Government Pleader, High Court, Madras, S.R.No.55860

WP No. 22657 of 2021

AK-II (CO)
SU(26/11/2021)