



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 26.07.2021

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THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Writ Petition Nos. 33454, 33455, 33456, 33457, 33458, 33459,
34109, 34110, 34111, 34112, 34113, 34114, 34266, 34267,
34268, 34269, 34270, 34271 of 2014

Writ Petition Nos. 1682, 1683, 1684, 1685, 1686, 4122, 4123,
4124, 4125, 4126, 4127, 4128, 4129, 4130, 4131, 4132, 4133,
4134, 8526, 8527, 8814, 8815, 8816 and 9341 of 2015

1 S.RAMASUBRAMANIAN	...PETITIONER in WP No.33454 of 2014
1 DR.S.SRIDHARAN	...PETITIONER in WP No.33455 of 2014
1 K.MALATI DORA	...PETITIONER in WP No.33456 of 2014
1 S.KALIMUTHU	...PETITIONER in WP No.33457 of 2014
1 R.RAVICHANDRAN	...PETITIONER in WP No.33458 of 2014
1 C.MOORTHY	...PETITIONER in WP No.33459 of 2014
1 K.SRINIVASA RAO	...PETITIONER in WP No.34109 of 2014
1 TMT.UTHRA KUMAR	...PETITIONER in WP No.34110 of 2014
1 DR.S.SUBRAMANIAN	...PETITIONER in WP No.34111 of 2014
1 P.VANI	...PETITIONER in WP No.34112 of 2014
1 P.S.VENKAT SUBRAMANYA	...PETITIONER in WP No.34113 of 2014
1 M.LALITHA	...PETITIONER in WP No.34114 of 2014
1 R.M.SIVALINGAM	...PETITIONER in WP No.34266 of 2014
1 C.S.SUBRAMANIAN	...PETITIONER in WP No.34267 of 2014
1 P.S.KUMARASWAMY	...PETITIONER in WP No.34268 of 2014
1 G.VISALAKSHI	...PETITIONER in WP No.34269 of 2014
1 M.G.IYYAPPAN	...PETITIONER in WP No.34270 of 2014
1 S.P.VASANTHAL	...PETITIONER in WP No.34271 of 2014
1 D.JAYACHANDRAN	PETITIONER in WP No.1682 of 2015
1 K.UMAIYAL	PETITIONER in WP No.1683 of 2015
1 ASHOK AGARWAL	PETITIONER in WP No.1684 of 2015
1 MRS.BHANUMATHI VENKATRAMAN	PETITIONER in WP No.1685 of 2015
1 P.GUHAN	PETITIONER in WP No.1686 of 2015
1 CHITRA VENKATESH	PETITIONER in WP No.4122 of 2015
1 P.VENKATESH	PETITIONER in WP No.4123 of 2015
1 M.K.RAJASEKARAN	PETITIONER in WP No.4124 of 2015
1 B.SHYAM SUNDAR	PETITIONER in WP No.4125 of 2015
1 R.PADMA	PETITIONER in WP No.4126 of 2015
1 MRS.R.POONGUZHALI	PETITIONER in WP No.4127 of 2015
1 A.KOMALAVALLI	PETITIONER in WP No.4128 of 2015
1 M.THANIKACHALAM	PETITIONER in WP No.4129 of 2015



1 T.CHIDAMBARAMPETITIONER in WP No.4130 of 2015
1 S.BALACHANDRANPETITIONER in WP No.4131 of 2015
1 C.T.THIYAGARAJANPETITIONER in WP No.4132 of 2015
1 R.LALITHAPETITIONER in WP No.4133 of 2015
1 R.ANANAD KUMARPETITIONER in WP No.4134 of 2015
1 MRS.SAKUNTHALA VARATHARAJANPETITIONER in WP No.8526 of 2015
1 H.V.SURESH RAMAIAHPETITIONER in WP No.8527 of 2015
1 M.VIJAYALAKSHMI,
W/o MUTHUVELUPETITIONER in WP No.8814 of 2015
1 B.SURESH KUMAR
S/o B.D.NAIDUPETITIONER in WP No.8815 of 2015
1 D.USHA RANI
D/O.D.DIWAKARPETITIONER in WP No.8816 of 2015
1 M.GANESHPETITIONER in WP No.9341 of 2015

Versus

1. The State of Tamil Nadu
represented by its Secretary to Government
Food, Co-operation and Commercial Tax Department
Fort St. George,
Chennai - 600 009
 2. State of Tamil Nadu
represented by its Secretary to Government
Revenue Department
Fort St. George,
Chennai - 600 009
 3. The Member Secretary
Chennai Metropolitan Development Authority
No.8, Gandhi Irwin Road
Chennai - 600 008
 4. The Registrar of Co-operative Societies (Housing)
No.493, Anna Salai,
Chennai - 600 035
 5. The Administrator/Special Officer
The Gandhi Nagar Co-operative House
Construction Society Limited
XNC-494-79, Pumping Station Road
Gandhi Nagar, Adayar
Chennai - 600 020
- ...Respondents in all WPs



Prayer in all WPS:-

WP No.33454 of 2014:-

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 3rd respondent to approve the revised lay out plan submitted by the 5th respondent and consequently to direct the 5th respondent to execute a Sale Deed in favour of the petitioner, based on the allotment made in Vadaperumbakkam Cooperative Nagar (Extension), as the petitioner has settled entire amount towards cost of Plot for 1500 sq.ft. bearing Plot No.60, Stamp Duty and Registration Cost, as early as in the year 1999.

WP No.33455 of 2014:-

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 3rd respondent to approve the revised lay out plan submitted by the 5th respondent and consequently to direct the 5th respondent to execute a Sale Deed in favour of the petitioner, based on the allotment made in Vadaperumbakkam Cooperative Nagar (Extension), as the petitioner has settled entire amount towards cost of Plot for 1500 sq.ft. bearing Plot No.18 in Phase II, including Stamp Duty and Registration Cost, as early as in the year 1998.

WP No.33456 of 2014:-

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 3rd respondent to approve the revised lay out plan submitted by the 5th respondent and consequently to direct the 5th respondent to execute a Sale Deed in favour of the petitioner, based on the allotment made in Vadaperumbakkam Cooperative Nagar (Extension), as the petitioner has settled entire amount towards cost of Plot for 7980 sq.ft. bearing Plot No.73 (revised Plot No.66), Stamp Duty and Registration Cost, as early as in the year 1999.

WP No.33457 of 2014:-

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 3rd respondent to approve the revised lay out plan submitted by the 5th respondent and consequently to direct the 5th respondent to execute a Sale Deed in favour of the petitioner, based on the allotment made in Vadaperumbakkam Cooperative Nagar (Extension), as the petitioner has settled entire amount towards cost of Plot for 1500 sq.ft. bearing Plot No.119 in phase II, including Stamp Duty and Registration Cost, as early as in the year 1999.



WP No.33458 of 2014:-

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 3rd respondent to approve the revised lay out plan submitted by the 5th respondent and consequently to direct the 5th respondent to execute a Sale Deed in favour of the petitioner, based on the allotment made in Vadaperumbakkam Cooperative Nagar (Extension), as the petitioner has settled entire amount towards cost of Plot for 1800 sq.ft. bearing Plot No.86, in Phase II, including Stamp Duty and Registration Cost, as early as in the year 1999.

WP No.33459 of 2014:-

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 3rd respondent to approve the revised lay out plan submitted by the 5th respondent and consequently to direct the 5th respondent to execute a Sale Deed in favour of the petitioner, based on the allotment made in Vadaperumbakkam Cooperative Nagar (Extension), as the petitioner has settled entire amount towards cost of Plot for 2400 sq.ft. bearing Plot No.36 in phase II including Stamp Duty and Registration Cost, as early as in the year 1998.

WP No.34109 of 2014:-

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the third respondent to approve the revised layout plan submitted by the fifth respondent and consequently to direct the fifth respondent to execute a Sale Deed in favour of the petitioner, based on the allotment made in Vadaperumbakkam Co-Operative Nagar (Extension), as the petitioner has settled entire amount towards cost of plot for 1860 Sq.Ft., bearing a tentative Plot No.64 in Phase-II, including Stamp duty and registration cost, as early as in the year 1998.

WP No.34110 of 2014:-

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the third respondent to approve the revised layout plan submitted by the fifth respondent and consequently to direct the fifth respondent to execute a Sale Deed in favour of the petitioner, based on the allotment made in Vadaperumbakkam Co-Operative Nagar (Extension), as the petitioner has settled entire amount towards cost of plot for 2400 Sq.Ft., bearing a tentative Plot No.16 in Phase-I, including Stamp duty and registration cost, as early as in the year 1999.



WP No.34111 of 2014:-

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the third respondent to approve the revised layout plan submitted by the fifth respondent and consequently to direct the fifth respondent to execute a Sale Deed in favour of the petitioner, based on the allotment made in Vadaperumbakkam Co-Operative Nagar (Extension), as the petitioner has settled entire amount towards cost of plot for 800 Sq.Ft., bearing Plot No.86 in Phase-I, including Stamp duty and registration cost, as early as in the year 1998.

WP No.34112 of 2014:-

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the third respondent to approve the revised layout plan submitted by the fifth respondent and consequently to direct the fifth respondent to execute a Sale Deed in favour of the petitioner, based on the allotment made in Vadaperumbakkam Co-Operative Nagar (Extension), as the petitioner has settled entire amount towards cost of plot for 1800 Sq.Ft., bearing a tentative Plot No.78 in Phase-II, including Stamp duty and registration cost, as early as in the year 1999.

WP No.34113 of 2014:-

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the third respondent to approve the revised layout plan submitted by the fifth respondent and consequently to direct the fifth respondent to execute a Sale Deed in favour of the petitioner, based on the allotment made in Vadaperumbakkam Co-Operative Nagar (Extension), as the petitioner has settled entire amount towards cost of plot for 2400 Sq.Ft., bearing Plot No.16, in Phase-I, including Stamp duty and registration cost, as early as in the year 1999.

WP No.34114 of 2014:-

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the third respondent to approve the revised layout plan submitted by the fifth respondent and consequently to direct the fifth respondent to execute a Sale Deed in favour of the petitioner, based on the allotment made in Vadaperumbakkam Co-Operative Nagar (Extension), as the petitioner has settled entire amount towards cost of plot for 1480 Sq.Ft., bearing a tentative Plot No.75, in Phase-I, Stamp duty and registration cost, as early as in the year 1998.



WP No.34266 of 2014:-

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 3rd respondent to approve the revised lay out plan submitted by the 5th respondent and consequently to direct the 5th respondent to execute a Sale Deed in favour of the petitioner, based on the allotment made in Vadaperumbakkam Cooperative Nagar (Extension), as the petitioner has settled entire amount towards cost of Plot of 1800 sq.ft., bearing a tentative Plot No.13, in Phase 1, including stamp duty and registration cost, as early as in the year 1998

WP No.34267 of 2014:-

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 3rd respondent to approve the revised lay out plan submitted by the 5th respondent and consequently to direct the 5th respondent to execute a Sale Deed in favour of the petitioner, based on the allotment made in Vadaperumbakkam Cooperative Nagar (Extension), as the petitioner has settled entire amount towards cost of Plot of 1800 sq.ft., bearing Plot No.90, including stamp duty and registration cost, as early as in the year 1999.

WP No.34268 of 2014:-

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 3rd respondent to approve the revised lay out plan submitted by the 5th respondent and consequently to direct the 5th respondent to execute a Sale Deed in favour of the petitioner, based on the allotment made in Vadaperumbakkam Cooperative Nagar (Extension), as the petitioner has settled entire amount towards cost of Plot of 1800 sq.ft., bearing a tentative Plot No.15, in Phase 1, including stamp duty and registration cost, as early as in the year 1998.

WP No.34269 of 2014

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 3rd respondent to approve the revised lay out plan submitted by the 5th respondent and consequently to direct the 5th respondent to execute a Sale Deed in favour of the petitioner, based on the allotment made in Vadaperumbakkam Cooperative Nagar (Extension), as the petitioner has settled entire amount towards cost of Plot for 2400 sq.ft., bearing Plot No.47 including stamp duty and registration cost, as early as in the year 1999.



WP No.34270 of 2014:-

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 3rd respondent to approve the revised lay out plan submitted by the 5th respondent and consequently to direct the 5th respondent to execute a Sale Deed in favour of the petitioner, based on the allotment made in Vadaperumbakkam Cooperative Nagar (Extension), as the petitioner has settled entire amount towards cost of Plot of 1800 sq.ft., bearing a tentative Plot No.23, in Phase II, including stamp duty and registration cost, as early as in the year 1998.

WP No.34271 of 2014:-

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 3rd respondent to approve the revised lay out plan submitted by the 5th respondent and consequently to direct the 5th respondent to execute a Sale Deed in favour of the petitioner, based on the allotment made in Vadaperumbakkam Cooperative Nagar (Extension), as the petitioner has settled entire amount towards cost of Plot of 800 sq.ft., bearing Plot No.85, in Phase I, including stamp duty and registration cost, as early as in the year 1998.

WP No.1682 of 2015:-

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 3rd respondent to approve the revised lay out plan submitted by the 5th respondent and consequently to direct the 5th respondent to execute a Sale Deed in favour of the petitioner, based on the allotment made in Vadaperumbakkam Cooperative Nagar (Extension), as the petitioner has settled entire amount towards cost of plot of 1000 sq.ft. bearing Plot No.120, including Stamp Duty and Resitration Cost, as early as in the year 1998.

WP No.1683 of 2015:-

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 3rd respondent to approve the revised lay out plan submitted by the 5th respondent and consequently to direct the 5th respondent to execute a Sale Deed in favour of the petitioner, based on the allotment made in Vadaperumbakkam Cooperative Nagar (Extension), as the petitioner has settled entire amount towards cost of plot of 1738 sq.ft. bearing Plot No.84 , including Stamp Duty and Resitration Cost, as early as in the year 1998.



WP No.1684 of 2015:-

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 3rd respondent to approve the revised lay out plan submitted by the 5th respondent and consequently to direct the 5th respondent to execute a Sale Deed in favour of the petitioner, based on the allotment made in Vadaperumbakkam Cooperative Nagar (Extension), as the petitioner has settled entire amount towards cost of plot of 2700 sq.ft. bearing Plot No.20, including Stamp Duty and Resitration Cost, as early as in the year 1998.

WP No.1685 of 2015:-

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 3rd respondent to approve the revised lay out plan submitted by the 5th respondent and consequently to direct the 5th respondent to execute a Sale Deed in favour of the petitioner, based on the allotment made in Vadaperumbakkam Cooperative Nagar (Extension), as the petitioner has settled entire amount towards cost of plot of 1800 sq.ft. bearing No.56 in Phase 1, including Stamp Duty and Resitration Cost, as early as in the year 1998.

WP No.1686 of 2015:-

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 3rd respondent to approve the revised lay out plan submitted by the 5th respondent and consequently to direct the 5th respondent to execute a Sale Deed in favour of the petitioner, based on the allotment made in Vadaperumbakkam Cooperative Nagar (Extension), as the petitioner has settled entire amount towards cost of plot of 1200 sq.ft. bearing Plot No.71, including Stamp Duty and Resitration Cost, as early as in the year 1999.

WP No.4122 of 2015:-

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 3rd respondent to approve the revised lay out plan submitted by the 5th respondent and consequently to direct the 5th respondent to execute a Sale Deed in favour of the petitioner, based on the allotment made in Vadaperumbakkam Cooperative Nagar (Extension), as the petitioner has settled entire amount towards cost of plot of 840 sq.ft. bearing a tentative Plot No.67, including Stamp Duty and Resitration Cost, as early as in the year 1999.



WP No.4123 of 2015:-

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 3rd respondent to approve the revised lay out plan submitted by the 5th respondent and consequently to direct the 5th respondent to execute a Sale Deed in favour of the petitioner, based on the allotment made in Vadaperumbakkam Cooperative Nagar (Extension), as the petitioner has settled entire amount towards cost of plot of 2196 sq.ft. bearing a tentative Plot No.93, including Stamp Duty and Resitration Cost, as early as in the year 1999.

WP No.4124 of 2015:-

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 3rd respondent to approve the revised lay out plan submitted by the 5th respondent and consequently to direct the 5th respondent to execute a Sale Deed in favour of the petitioner, based on the allotment made in Vadaperumbakkam Cooperative Nagar (Extension), as the petitioner has settled Rs.1,25,000/- an amount towards Major Portion of the cost of plot of 3600 sq.ft. bearing a tentative Plot No.41, as early as in the year 1999.

WP No.4125 of 2015:-

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 3rd respondent to approve the revised lay out plan submitted by the 5th respondent and consequently to direct the 5th respondent to execute a Sale Deed in favour of the petitioner, based on the allotment made in Vadaperumbakkam Cooperative Nagar (Extension), as the petitioner has settled entire amount towards cost of plot of 2700 sq.ft. bearing a tentative Plot No.19, in phase I, including Stamp Duty and Resitration Cost, as early as in the year 1998.

WP No.4126 of 2015:-

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 3rd respondent to approve the revised lay out plan submitted by the 5th respondent and consequently to direct the 5th respondent to execute a Sale Deed in favour of the petitioner, based on the allotment made in Vadaperumbakkam Cooperative Nagar (Extension), as the petitioner has settled Rs.1,25,000/- a Major Portion of amount towards cost of plot of 3600 sq.ft. bearing a tentative Plot No.42, as early as in the year 1999.



WP No.4127 of 2015:-

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 3rd respondent to approve the revised lay out plan submitted by the 5th respondent and consequently to direct the 5th respondent to execute a Sale Deed in favour of the petitioner, based on the allotment made in Vadaperumbakkam Cooperative Nagar (Extension), as the petitioner has settled entire amount towards cost of Plot bearing No.10, in phase II, including Stamp Duty and Resitration Cost, as early as in the year 1998.

WP No.4128 of 2015:-

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 3rd respondent to approve the revised lay out plan submitted by the 5th respondent and consequently to direct the 5th respondent to execute a Sale Deed in favour of the petitioner, based on the allotment made in Vadaperumbakkam Cooperative Nagar (Extension), as the petitioner has settled entire amount towards cost of plot of 900 sq.ft. bearing a tentative Plot No.8, including Stamp Duty and Resitration Cost, as early as in the year 1999.

WP No.4129 of 2015:-

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 3rd respondent to approve the revised lay out plan submitted by the 5th respondent and consequently to direct the 5th respondent to execute a Sale Deed in favour of the petitioner, based on the allotment made in Vadaperumbakkam Cooperative Nagar (Extension), as the petitioner has settled entire amount towards cost of plot of 1200 sq.ft. bearing a tentative Plot No.63, in Phase II, including Stamp Duty and Resitration Cost, as early as in the year 1999.

WP No.4130 of 2015:-

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the third respondent to approve the revised Lay Out Plan submitted by the fifth respondent and consequently to direct the fifth respondent to execute a Sale Deed in favour of the petitioner, based on the Allotment made in Vadaperumbakkam Cooperative Nagar (Extension), as the petitioner has settled entire amount towards Cost of Plot of 800 sq.ft. bearing a tentative Plot No.83, including Stamp Duty and Resitration Cost, as early as in the year 1998.



WP No.4131 of 2015:-

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the third respondent to approve the revised Lay Out Plan submitted by the fifth respondent and consequently to direct the fifth respondent to execute a Sale Deed in favour of the petitioner, based on the Allotment made in Vadaperumbakkam Cooperative Nagar (Extension), as the petitioner has settled entire amount towards Cost of Plot of 2415 sq.ft. bearing a tentative Plot No.24 in Phase II, including Stamp Duty and Resitration Cost, as early as in the year 1999.

WP No.4132 of 2015:-

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the third respondent to approve the revised Lay Out Plan submitted by the fifth respondent and consequently to direct the fifth respondent to execute a Sale Deed in favour of the petitioner, based on the Allotment made in Vadaperumbakkam Cooperative Nagar (Extension), as the petitioner has settled entire amount towards Cost of Plot of 800 sq.ft. bearing a tentative Plot No.84, including Stamp Duty and Resitration Cost, as early as in the year 1998.

WP No.4133 of 2015:-

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the third respondent to approve the revised Lay Out Plan submitted by the fifth respondent and consequently to direct the fifth respondent to execute a Sale Deed in favour of the petitioner, based on the Allotment made in Vadaperumbakkam Cooperative Nagar (Extension), as the petitioner has settled entire amount towards Cost of Plot of 2000 sq.ft. bearing a tentative Plot No.55, including Stamp Duty and Resitration Cost, as early as in the year 1999.

WP No.4134 of 2015:-

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the third respondent to approve the revised Lay Out Plan submitted by the fifth respondent and consequently to direct the fifth respondent to execute a Sale Deed in favour of the petitioner, based on the Allotment made in Vadaperumbakkam Cooperative Nagar (Extension), as the petitioner has settled entire amount towards Cost of Plot of 1920 sq.ft. bearing a tentative Plot No.54, including Stamp Duty and Resitration Cost, as early as in the year 1999.



WP No.8526 of 2015:-

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the third respondent to approve the revised Lay Out Plan submitted by the fifth respondent and consequently to direct the fifth respondent to execute a Sale Deed in favour of the petitioner based on the Allotment made in Vadaperumbakkam Co-operative Nagar (Extension), as the petitioner has settled entire amount towards Cost of Plot of 2400 sq.ft. bearing a tentative Plot No.17, Stamp Duty and Registration Cost, as early as in the Year 1999.

WP No.8527 of 2015:-

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the third respondent to approve the revised Lay Out Plan submitted by the fifth respondent and consequently to direct the fifth respondent to execute a Sale Deed in favour of the petitioner based on the Allotment made in Vadaperumbakkam Co-operative Nagar (Extension), as the petitioner has settled entire amount towards Cost of Plot of 727 sq.ft. bearing a tentative Plot No.74, including Stamp Duty and Registration Cost, as early as in the Year 1999.

WP No.8814 of 2015:-

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the third respondent to approve the revised Lay Out Plan submitted by the fifth respondent and consequently to direct the fifth respondent to execute a Sale Deed in favour of the petitioner based on the Allotment made in Vadaperumbakkam Co-operative Nagar (Extension), as the petitioner has settled entire amount towards Cost of Plot of 800 sq.ft. bearing a tentative Plot No.81, Phase I, including Stamp Duty and Registration Cost, as early as in the Year 1999.

WP No.8815 of 2015:-

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the third respondent to approve the revised Lay Out Plan submitted by the fifth respondent and consequently to direct the fifth respondent to execute a Sale Deed in favour of the petitioner based on the Allotment made in Vadaperumbakkam Co-operative Nagar (Extension), as the petitioner has settled entire amount towards Cost of Plot of 2400 sq.ft. bearing Plot No.37, Phase II, including Stamp Duty and Registration Cost, as early as in the Year 1999.



WP No.8816 of 2015:-

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the third respondent to approve the revised Lay Out Plan submitted by the fifth respondent and consequently to direct the fifth respondent to execute a Sale Deed in favour of the petitioner based on the Allotment made in Vadaperumbakkam Co-operative Nagar (Extension), as the petitioner has settled entire amount towards Cost of Plot for 2535 sq.ft. bearing a Plot No.65 (New No.59) in Phase-I, including Stamp Duty and Registration Cost, as early as in the Year 1999.

WP No.9341 of 2015:-

These Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 3rd respondent to approve the revised lay out plan submitted by the 5th respondent and consequently to direct the 5th respondent to execute a Sale Deed in favour of the petitioner, based on the allotment made in Vadaperumbakkam Cooperative Nagar (Extension), as the petitioner has settled entire amount towards cost of Plot of 1800 sq.ft. bearing a tentative Plot No.39 in Phase I, including Stamp duty and Registration Cost, as early as in the year 1999.

For Petitioner (s) : Mr. P.B. Balaji
in all the Writ Petitions

For Respondents : Mr. Stalin Abhimanyu
Government Advocate for RR1, 2 & 4
in all the Writ Petitions

Mr. P.S. Ganesh for R3/CMDA
in all the Writ Petitions
34266 to 34271, 34109 to 34114,
33454 to 33459 of 2014

M/s.Veena Suresh for R3 in WP
4122 to 4134, 1682 to 1686, 8526,
8527, 8814 to 8816, 9341 of 2015

Mr. L.P. Shanmugasundaram for R5
in all the Writ Petitions

COMMON ORDER

The writ petitioners in this batch of writ petitions have, by and large, made identical prayer to issue a Writ of Mandamus to direct the Chennai Metropolitan Development Authority to



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approve the revised layout plan submitted on their behalf by the fifth respondent society and consequently direct the fifth respondent society to execute Sale Deeds in their favour, based on the allotment made in Vadaperumbakkam Co-operative Nagar (Extension).

2. The fifth respondent Cooperative Society has come out with a scheme for allotment of housing plots to individual prospective buyers. The scheme was titled Vadaperumbakkam Co-operative Nagar Housing Project. The fifth respondent society claimed that they have formed a new layout in a sprawling land measuring an extent of 14.78 acres and invited individual buyers for sale of the housing plots. To this effect, the fifth respondent society caused a newspaper advertisement in one issue of English Daily 'The Hindu' on 21.06.1998. Even in the advertisement, it was mentioned that approval of the layout by the Chennai Metropolitan Development Authority (in short CMDA) is awaited. In response to the advertisement, it is stated that about 119 persons have approached the fifth respondent, including the writ petitioners, numbering about 42. It is stated that most of the buyers have either paid the entire amount for purchase of the plots, including the charges towards registration of the plots in their favour. However, the fifth respondent society has not executed sale deeds in their favour. Therefore, the writ petitioners have come up with the present batch of writ petitions.

3. Mr. P.B. Balaji, learned counsel appearing for the petitioners would contend that the petitioners have paid the entire amount for purchase of the housing plots for which receipts have also been issued by the fifth respondent during the years 1998/1999 on various dates. During August 1999, the fifth respondent confirmed that they are having valid and assertable title in respect of the lands in question and they have also obtained sale deeds executed by the previous owners of lands confirming the title in their favour. It was also represented by the fifth respondent society that they have obtained Patta, Chitta and Adangal in their name. The fifth respondent also claimed that they have executed necessary Gift Deed to Puzhal Panchayat Union as a condition precedent for getting approval of the layout. It was also represented that the fifth respondent had remitted the necessary charges to the Tamil Nadu Electricity Board to shift the HT/LT lines passing through the lands. In the year 2008 the fifth respondent society informed the petitioners that CMDA had requested for certain documents as a condition precedent for granting layout approval. It is further stated by the petitioners that the fifth respondent has also submitted revised plan for approval of the layout during December 2011, but the fact remains that so far layout approval has not been accorded by the CMDA. In this



regard, the learned counsel for the petitioners invited the attention of this Court to various communications exchanged between the fifth respondent society and the CMDA authorities of the Government, however, even after 16 years, the fifth respondent has not bothered to allot the plots to individual buyers inter alia withholding the amount paid by them unlawfully.

4. The learned counsel for the petitioners further submitted that during the pendency of these writ petitions, the third respondent/CMDA in principle has approved the layout in respect of the Plot Nos. 1, 2, 4, 5, 6, 7, 14, 23, 24/1, 1, 2A, 2B, 3, 26/1, 2, 3, 27/2, 31/1, 2, 3, 44 and 44 of Vadaperumbakkam Village, however, the fifth respondent society is demanding payment of development charges as per the prevailing rate, as has been communicated by the third respondent/CMDA. When the fifth respondent society had collected the entire amount payable by the petitioners even during the year 1998-1999, the claim for development charges at the prevailing rate during the year 2020 is unjust and arbitrary. Therefore, the learned counsel for the petitioners prayed this Court to issue appropriate direction to the respondents herein, particularly the fifth respondent to allot the plots and to execute the sale deeds in their favour.

5. Mr. P.S. Ganesh, learned counsel appearing for the respondent/ CMDA would vehemently contend that even on 06.11.2012, the fifth respondent society was informed that the proposal for approval of plots submitted by the fifth respondent society through the Commissioner, Puzhal Panchayat Union had been examined and returned unapproved for non-furnishing of the particulars called for. Therefore, by the communication dated 05.11.2012, the fifth respondent society was called upon to submit the planning permission application along with all the required particulars such as copy of encumbrance certificate for the housing site from 1992, No Objection Certificate from the instrumentalities of the Government etc., In the absence of the fifth respondent society furnishing the particulars called for, the third respondent could not process the application for layout approval. The learned counsel for the third respondent therefore submitted that if the applications are re-submitted the planning permission application will be considered in accordance with law.

6. Mr. L.P. Shanmuga Sundaram, learned counsel appearing for the fifth respondent society would contend that even as early as on 20.11.1998, the fifth respondent society had prepared the rough sketch along with all the requisite particulars and submitted it to the third respondent/CMDA. On the basis of the application submitted by the fifth respondent, CMDA has accorded approval in respect of the land comprised in



Survey No.47 measuring 1.26 acres alone but did not accord approval for the remaining 10.06 acres of land in spite of the submission of the revised plan to the CMDA on 27.12.2011. As the revised applications were also returned, the fifth respondent society had re-submitted the applications but they were also returned by the third respondent/ CMDA. It is also submitted that pending the applications for approval of layout, the Government has acquired a portion of land measuring 3.46 acres in Survey No. 7/1 for construction of Chennai Metro Water Channel and a meagre amount of compensation has been paid to the fifth respondent. According to the counsel for the fifth respondent, for obtaining approval from the third respondent/CMDA, processing fee of Rs.26,57,160/- for one acre of land has to be paid and for 10 acres of land, the amount payable will be Rs.2,65,71,600/- which the allottees have to pay proportionate to the extent of land to be allotted in their favour. However, the petitioners claim that they have already paid the amount and they are not liable to pay any amount. The delay in obtaining the layout approval is not solely attributable on the fifth respondent society, but the delay has been caused due to various factors, which are beyond the control of the fifth respondent. The fifth respondent is ready and willing to cooperate with the writ petitioners as well as the others who have paid the amount to get the layout approval from the third respondent/CMDA. Therefore, the learned counsel for the fifth respondent society prayed to direct the petitioners to extend their cooperation for an early settlement of the issue.

7. Heard the counsel on either side. The prayer sought for in these writ petitions is two fold (i) to direct the third respondent/CMDA to approve the revised layout plan submitted by the fifth respondent and (ii) to direct the fifth respondent society to execute Sale Deed in favour of the petitioners, based on the allotment made in Vadaperumbakkam Co-operative Nagar (Extension). Such relief sought for by the petitioners is inter-connected with each other. Unless the third respondent/CMDA approves the layout plan submitted by the fifth respondent, the question of issuing a direction to the fifth respondent society to execute a sale deed in favour of the petitioners, will not arise.

8. It is evident that even as early as on 09.05.2012, the third respondent/CMDA, in their communication addressed to the fifth respondent society, has stated as follows:-

"The proposal received in the reference cited is under examination. You are requested to furnish the following particulars within 15 days from the date of receipt of this letter, failing which the paper will be returned unapproved.



WEB COPY

(i) Copy of Encumbrance certificate for the site under reference from 1992 to till date attested by a Notary Public

(ii) In S.No.5/1pt, there is one building is under construction, whether that plot allotted to anybody under unauthorised layout. If allotted, documentary evidence and approved plan and unauthorised layout plan details to be furnished

(iii) HT & LT lines passes through the site under reference for which exact alignment with clear measurements to be shown in the copy of FMB sketch and attested by revenue officials not below the rank of Deputy Tahsildar

(iv) No Objection Certificate from Public Works Department, for inundation point of view to be furnished."

9. It appears that the fifth respondent society did not furnish the particulars sought for in the communication dated 09.05.2012 and therefore, by a subsequent communication dated 05.11.2012, the third respondent/ CMDA had returned the proposal for layout unapproved. The communication dated 05.11.2012 can usefully be extracted hereunder:-

"The proposal received in the reference 1st cited has been examined and returned unapproved for non-furnishing of the particular called for in the reference 4th above cited. Copy of your letter dated 09.05.2012 addressed to the applicant is enclosed herewith.

You may re-submit your planning permission application along with all the required particulars called for in the reference 4th cited with scrutiny fee in SBC Counter of CMDA."

10. It appears that after the third respondent/CMDA returned the application unapproved, it was not re-submitted by the fifth respondent society. In the absence of the third respondent/CMDA according layout approval, the claim of the petitioners cannot be considered and no relief could be granted to the petitioners. Therefore, it would be appropriate to direct the petitioners as well as the fifth respondent, in unison, to submit necessary application seeking layout approval from the third respondent/CMDA by furnishing all the particulars required for the same. Such application shall be submitted, within a period of four weeks from the date of receipt of a copy of this order. On receipt of such applications from the petitioners, through the fifth respondent society, for layout approval, the third respondent/CMDA shall process the same and



to pass appropriate orders thereof on merits and in accordance with law as expeditiously as possible.

11. Subject to the aforesaid observation, all the writ petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary to Government,
The State of Tamil Nadu,
Food, Co-operation and Commercial Tax Department,
Fort St. George, Chennai - 600 009.
2. The Secretary to Government,
The State of Tamil Nadu,
Revenue Department,
Fort St. George, Chennai - 600 009.
3. The Member Secretary,
Chennai Metropolitan Development Authority,
No.8, Gandhi Irwin Road,
Chennai - 600 008.
4. The Registrar of Co-operative Societies (Housing),
No.493, Anna Salai, Chennai - 600 035.
5. The Administrator/Special Officer,
The Gandhi Nagar Co-operative House
Construction Society Limited,
XNC-494-79, Pumping Station Road,
Gandhi Nagar, Adayar,
Chennai - 600 020.

+1cc to Mr.L.P.Shanmugasundaram, Advocate, Sr.35653
+32ccs to M/s.P.B.Ramanujam, Advocate, Sr.Nos.36009 to 36020,
36023 to 36028, 36030 to 36043
+1cc to the Government Pleader, Sr.No.35928

WP Nos. 33454 of 2014 etc., batch

JP[co]

NSK 07/10/2021