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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. No.22230 of 2021

Don Bosco Matriculation School,
Rep. by its Correspondent,
Mr.K.Saramma,
No.3rd Cross Street,
M.K.B. Nagar,
Vyasarpadi,
Chennai - 600 039.

.. Petitioner

-Vs-

- 1 The Secretary to Government,
Housing and Urban Development Department,
Secretariat,
Chennai - 600 009.
- 2 The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road,
Egmore,
Chennai - 600 008.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to dispose of the Application made by the petitioner for regularisation dated 15.06.2018 in respect of land and buildings situated at Door No./Plot No.-/18, 19 and 26 in Survey Nos. Rs No./755, 756/40, 41 and 22 at 3rd Cross Street, MKB Nagar, Vysarpadi, Chennai-600 039 with the time frame fixed by this Court.

For Petitioner : Ms.G.V.Seethalakshmi

For Respondents : Mr.U.Baranidharan
Government Counsel for R1
Ms.Malarvizhi Udhayakumar
for R2



O R D E R

This writ petition has been filed for issue of writ of mandamus directing the first respondent to dispose of the Application submitted by the petitioner for regularization on 15.06.2018, within the time frame fixed by this Court.

2.The case of the petitioner is that they are running a School in the subject property and there were some minor deviations from the sanctioned building plan. Hence, the petitioner approached the 1st respondent seeking for regularization under Section 113-C of the Tamil Nadu Town and Country Planning Act, 1971 by submitted an Application on 15.06.2018. The grievance of the petitioner is that the application has not been dealt with so far and left with no other alternative, the present writ petition has been filed before this Court.

3.Heard the learned counsel for the petitioner and the learned counsel appearing on behalf of the respondents.

4.Taking into consideration the facts and circumstances of the case and also the limited relief that has been sought for in this writ petition, there shall be a direction to the 1st respondent to take a decision on the application submitted by the petitioner on 15.06.2018 on its own merits and strictly in accordance with law, within a period of eight weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the 1st respondent along with all the relevant documents and also a copy of this order. A copy of the representation shall also be marked to the 2nd respondent.

5.This writ petition is disposed of with the above direction. No Costs.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

ssr

To

- 1 The Secretary to Government,
Housing and Urban Development Department,
Secretariat,
Chennai - 600 009.



2 The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road,
Egmore,
Chennai - 600 008.

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+1 cc to Ms.G.V.Seethalakshmi, Advocate Sr.NO. 54338

+1 cc to Government Pleader Sr.NO. 24626

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SSV(CO)

A.SK(10.11.2021)