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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :05.07.2021

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THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No. 7349 of 2017

St.Joseph Boys Higher Secondary School,
Coonoor -643102
Nilgiris District
rep. By its Principal
J.Ramesh Amalanathan

..Petitioner

Vs

1. State of Tamilnadu
Rep. By its Principal Secretary to Government
Municipal Administration and
Water Supply Department,
For St.George, Chennai-600009.

2. The Commissioner,
Coonoor Municipality,
Nilgiris District.

..Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to consider the petitioner's representation dated 25.09.2015 and grant exemption in respect of height of the indoor stadium and auditorium building constructed by the petitioner in S.F.No.830 of Coonoor Municipality, Nilgiris District within the time frame.

For Petitioner : M/s.M.Muthappan

For Respondents : Mr.A.Selvendran, GA - R1
Mr.R.Subburaj - R2

O R D E R

The prayer sought for in the Writ Petition is to direct the



1st respondent to consider the petitioner's representation dated 25.09.2015 and grant exemption in respect of height of the indoor stadium and auditorium building constructed by the petitioner in S.F.No.830 of Coonoor Municipality, Nilgiris District within the time frame.

2. Brief facts of the case is that the petitioner's school has made a representation to the 1st respondent to grant exemption with respect to construction of the building as per Section 217-Q of the Tamil Nadu District Municipality Act as granted to other buildings in the same locality. The said request was rejected by the 1st respondent by order dated 20.02.2015. Subsequently the petitioner school has filed CRP before this Court in CRP.(NPD)No. 2957 of 2015 and obtained interim orders.

3. The learned counsel for the petitioner submitted before this Court that in view of the orders obtained in Civil Revision Petition, no further orders are required in the present writ petition.

4. The learned Government Advocate appearing for 1st respondent and the learned counsel appearing for the 2nd respondent accepted the submissions made by the learned counsel for the petitioner.

5. Recording the statement made by the learned counsels appearing for the parties concerned, this writ stands dismissed. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Secretary to Government
Municipal Administration and
Water Supply Department,
For St.George, Chennai-600009.



2. The Commissioner,
Coonoor Municipality,
Nilgiris District.

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+1cc to Mr.R.Subburaj, Advocate, S.R.No.31222
+1cc to Mr.M.Muthappan, Advocate, S.R.No.31319
+1cc to the Government Pleader, S.R.No.31380

W.P.No.7349 of 2017

AD(CO)
SU(27/07/2021)