



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No. 455 of 2022

M/s.Virutcham Vidhyashram International Public School,
Run by Sigaram Educational Charitable Trust,
Represented by its Correspondent Mr.P.Rajarajan,
Vandavasi-Kanchipuram Road,
Venkundram, Vandavasi,
Thiruvannamalai District - 604 408.

...Petitioner

-Vs-

1.The Director,
Directorate of Town & Country Planning,
Anna Salai, Chennai - 600 002.

2.The Deputy Director,
Office of the Town and Country Planning Department,
Tiruvannamalai.

3.The Divisional Engineer,
Highways Department,
Construction and Maintenance,
Cheyyar, Thiruvannamalai District - 604 407. ...Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to process the petitioner's Online application dated 21.05.2019 for grant of planning permission in order to commence a CBSE School at Vandavasi, Kanchipuram Road, Venkundram, Vandavasi - 604 408 taking into consideration the No Objection Certificate (NOC) issued by the 3rd respondent vide Ka.No.612/2021/EVA-1 dated 18.11.2021 within a time frame fixed by this Court.

For Petitioner : Mr.R.Baskaran

For Respondents: Mr.K.Suresh, Government Advocate
- for R1 & R2



O R D E R

The prayer sought for herein is for a Writ of Mandamus directing the respondents to process the petitioner's Online application dated 21.05.2019 for grant of planning permission in order to commence a CBSE School at Vandavasi, Kanchipuram Road, Venkundram, Vandavasi - 604 408 taking into consideration the No Objection Certificate (NOC) issued by the 3rd respondent vide Ka.No.612/2021/EVA-1 dated 18.11.2021 within a time frame fixed by this Court.

2. The petitioner has a school located at Vandavasi-Kanchipuram Road, Venkundram, Vandavasi, Thiruvannamalai District - 604 408. In order to get plan approval / building approval for the School building, the petitioner has made an application to the respondents 1 and 2 on 21.05.2019. The said application has not been processed by the respondents. The school premises or the land where the school is going to be located was inspected by the office of the 2nd respondent sometime in 2019 itself and thereafter, they have raised some queries against the petitioner and those queries have been answered and thereafter certain deficiencies were found out and those deficiencies also, according to the petitioner, have been rectified by the petitioner.

3. Ultimately, according to the petitioner, the 1st respondent has sought for No Objection Certificate (NOC) to be obtained from the 3rd respondent / Highways Department to be produced before the respondents 1 and 2.

4. The learned counsel for the petitioner, would content that after getting NOC from the 3rd respondent on 23.11.2021 that was also submitted to the respondents 1 and 2. Thereafter, a representation by way of reminder was also sent to the 1st respondent on 16.12.2021 with a copy marked to the respondents 2 and 3. According to the petitioner, the application of the petitioner submitted to the respondents 1 and 2 is yet to be finalized and no orders have been passed with regard to the plan / building approval sought for by the petitioner. Therefore, the petitioner has approached this Court by way of filing this Writ Petition.

5. Heard Mr.K.Suresh, learned Government Advocate appearing for the respondents 1 and 2, who would submit that if at all, all those queries raised by the respondents and the deficiencies pointed out by them are complied with as claimed by the petitioner through their reminder representation 16.12.2021 that would be taken into account and accordingly after verifying the compliance said to have been complied by the petitioner, the



application submitted by the petitioner dated 21.05.2019 along with subsequent correspondence and compliance would be considered and final orders to that effect shall be passed by the respondents within a stipulated time fixed by this Court.

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6. Having considered the submissions made by both sides and taking into consideration that the petitioner claimed that all the deficiencies pointed out by the respondents since have been complied with and NOC has been produced to the respondents 1 and 2, this Court is of view that a direction can be issued to the respondents 1 and 2.

7. Accordingly, this Writ Petition is disposed of with the following direction to the respondents 1 and 2 to complete the process of the application of the petitioner dated 21.05.2019 along with subsequent correspondence at various dates with regard to the queries raised and deficiencies pointed out by the respondents and accordingly, the said application shall be finalized and final order shall be passed as to whether the petitioner can be granted with a plan / building approval or not and such order shall be communicated to the petitioner within a period of six weeks from the date of receipt of a copy of this order.

8. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

SP/KST

To

- 1.The Director,
Directorate of Town & Country Planning,
Anna Salai, Chennai - 600 002.
- 2.The Deputy Director,
Office of the Town and Country Planning Department,
Tiruvannamalai.



3.The Divisional Engineer,
Highways Department,
Construction and Maintenance,
Cheyyar, Thiruvannamalai District - 604 407.

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+1cc to the Government Pleader, S.R.No.3041

W.P.No.455 of 2022

PMK(CO)
CB(01/02/2022)