



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2022

CORAM

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.NO.9666 OF 2022

U.Manuchand Gulecha

... Petitioner

.Vs.

1. The Commissioner,
Greater Chennai Corporation,
Rippon Building,
Chennai - 03.
2. The Regional Deputy Commissioner,
Chennai North,
Greater Chennai Corporation,
Basin Bridge Road,
Chennai - 600 001.
3. The Executive Engineer,
Zone - 5,
Greater Chennai Corporation,
Basin Bridge Road,
Chennai - 600 001.

4. M/s.Terapanth Educational and Medical Trust,
No.32, Vadamalai Mestri Street,
Sowcarpet, Chennai - 600 079.

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to consider the complaint/representation dated 23.07.2019 and 10.03.2022 and cancel the sanctioned approval plan Application No.PA/WDC03/13744/2008 and sanction plan No.BACD03/381/2009 dated 28.01.2009 to the letter and spirit.

For Petitioner : Mr.S.Ganesan

For Respondents : M/s.P.T.Ramadevi
Standing Counsel
[R1 to R3]



O R D E R

Ms.P.T.Ramadevi, learned Standing Counsel accepts notice for R1 to R3 and is in possession of requisite facts for final disposal of the matter even at the stage of admission. In view of the order proposed to be passed, no notice is thought necessary to the private respondent i.e. R4. Thus, by consent expressed by both learned counsel, final orders are passed disposing this writ petition even at this juncture.

2. The petitioner claims to be a co-owner of the land at Survey Nos.7800/1, 7800/2, 7800/20, 7800/35 at Door Nos. 2, 2A, 6, and 6A, Ammon Koil, 1st Lane, Kondithoppu, Chennai ('land in question'). Certain allegations were made out as against the private respondents which the Court does not advert to in detail in nature of order that is passed now.

3. Suffice it to say that the petitioner has made an identical submission before the official respondents seeking initiation of enquiry to look into the alleged illegal acts of R4. This representation dated 23.07.2019 is sent by electronic mail to the Commissioner of GCC, Rippon Building Chennai as well as the Regional Deputy Commissioner (North), of GCC Zone-5.

4. Since the petitioner seeks a mandamus simplicitor directing the official respondents to consider his complaint dated 23.07.2019 and 10.03.2020, being a reminder of the complaint, and consequently cancel the sanction approval plan dated 28.01.2009, it would be appropriate that this request be considered by the official respondents, since it involves various factual disputes. Ms.Ramadevi has no objection to a time frame being framed by this Court in this regard, and rightly so, seeing as the representation is pending from 2019.

5. Thus, a direction is issued to R2 to issue notice to the petitioner as well as R4 enable them to produce materials in respect of their plea, hear them and pass a speaking order in respect of the complaint of the petitioner, in accordance with law and all applicable rules and regulations. The entire exercise shall be completed within a period of twelve weeks from today.

6. This writ petition is disposed as above. No costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar



ska/nst

To

1. The Commissioner,
Greater Chennai Corporation,
Rippon Building,
Chennai - 03.
2. The Regional Deputy Commissioner,
Chennai North,
Greater Chennai Corporation,
Basin Bridge Road,
Chennai - 600 001.
3. The Executive Engineer,
Zone-5,
Greater Chennai Corporation,
Basin Bridge Road,
Chennai - 600 001.

+2ccs to Mr.S.Ganesan, Advocate, S.R.No.26680
+1cc to M/s.P.T.Ramadevi, Advocate, S.R.No.27739
+1cc to the Government Pleader, S.R.No.27535

W.P.NO.9666 OF 2022

MG(CO)
PBS/24/05/2022