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Writ Petition No.8156 of 2015

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

Dated: 20/12/2022

C O R A M

**THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR**

**Writ Petition No.8156 of 2015**

Pradheep Arumuham.K

...

Petitioner

Vs

The Divisional Engineer  
Highways Department  
Chennai Metropolitan Development Scheme  
Division – 3  
Chennai 600 025.

...

Respondent

**PRAYER:** Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the respondents to issue FSI certificate and allow the petitioner to repair/restore his available structure situated in Door No.633/2 New No.742, EVR Periyar Salai (previously known as Poonamallee High Road), Aminjikarai, Chennai 29 comprised in Block No.1 Old S.No.21/1 Part, New T.S.No.1 part at Vadagaram Village, Egmore, Nungambakkam Taluk, by considering the representation of the petitioner dated 14/2/2015.

For Petitioner

...

Mr.R.Rajesh Vivekananthan



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For respondent

... Mrs.R.Anitha  
Special Government Pleader

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**ORDER**

This writ petition has been filed to direct the respondents to issue FSI certificate and allow the petitioner to repair/restore his available structure situated in Door No.633/2 New No.742, EVR Periyar Salai (previously known as Poonamallee High Road), Aminjikarai, Chennai 29 comprised in Block No.1 Old S.No.21/1 Part, New T.S.No.1 part at Vadagaram Village, by considering the representation of the petitioner dated 14/2/2015.

2. Heard Mr.R.Rajesh Vivekananthan, learned counsel for the petitioner and Mrs.R.Anitha, learned Special Government Pleader for the respondent.

3. The petitioner's grievance is that the respondent is not issuing FSI certificate, even after the representation, dated 14/2/2015 was submitted by the petitioner.

4. When the Court posed a question “whether the Highways authority



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can issue such certificate”, the learned Special Government Pleader appearing for the respondent submitted that only CMDA alone can issue such certificate and the respondent has no role to play.

5. In such a view of the matter, this writ petition is dismissed. Liberty is granted to the petitioner to approach the competent authority, if so advised. No costs.

20/12/2022

Index : Yes / No  
Internet: Yes  
Speaking/non speaking order

mvs.

**To**

The Divisional Engineer  
Highways Department  
Chennai Metropolitan Development Scheme  
Division – 3  
Chennai 600 025.

**N. SATHISH KUMAR, J**



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mvs.

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