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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2022

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THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.No.27370 of 2014

and

M.P.No.1 of 2014

1.M.Kalamegam

2.K.Chandra Mohan

...Petitioner

Vs.

1. The Commissioner,
Corporation of Chennai,
Park Town, Chennai - 3.

2. The Executive Engineer - 5,
Corporation of Chennai,
Zonal Office - V, Chennai.

3. The Assistant Executive Engineer (T.P),
Town Planning Approval Section,
Regional Office North,
Corporation of Chennai,
No.105, Basin Bridge Road,
Royapuram, Chennai - 600 079.

...Respondents

Prayer:Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus, to direct the respondent to forthwith issue the planning permission to the petitioners herein for the premises bearing New Door No.108, Old Door No.103, Swami Naicken Street, Chindatripet, Chennai - 600 002, without insisting to hand over the eastern side portion measuring 12.32 Sq.mtr (133 Sqft) on the eastern side through a Registered Gift Deed to the Corporation of Chennai.

For Petitioners: No appearance

For Respondents: Mrs.Karthika Ashok
Standing Counsel

ORDER

No appearance on behalf of the petitioner.

2.This writ petition has been filed for a Writ of Mandamus to direct the respondent to forthwith issue the planning permission to the petitioners herein for the premises at New



Door No.108,Old Door No.103, Swami Naicken Street, Chindatripet, Chennai-600 002, without insisting to hand over the eastern side portion measuring 12.32 Sq.mtr (133 Sqft) on the eastern side through a Registered Gift Deed to the Corporation of Chennai.

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3.It appears that the petitioner has filed an application for planning approval, which they have been unable to secure. It is not clear on what basis the planning remedy has been denied to the petitioner. It is also not clear whether the petitioner is interested in the planning permit at this distinct point of time, after the lapse of six years, since this writ petition was filed. All the same, considering the fact that the petitioner had sent a letter in response to the 3rd respondent on 01.08.2014, I direct the 1st respondent to pass an appropriate orders on the application filed by the petitioner within a period of 30 days from the date of receipt of a copy of this order, after giving notice to the petitioners to appear, in case the petitioners are still interested in the planning permit.

4.This writ petition stands disposed of with the above observations. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner,
Corporation of Chennai,
Park Town, Chennai - 3.
2. The Executive Engineer - 5,
Corporation of Chennai,
Zonal Office - V, Chennai.
3. The Assistant Executive Engineer (T.P),
Town Planning Approval Section,
Regional Office North,
Corporation of Chennai,
No.105, Basin Bridge Road,
Royapuram, Chennai - 600 079.

+lcc to Mr.Karthikaa Ashok, Advocate, S.R.No.34473

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SKM(CO)

RGA(06/07/2022)