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Writ Petition No.26130 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 16/12/2022

C O R A M

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Writ Petition No.26130 of 2022

a n d

W.M.P.No.25209 of 2022

Anjli Infra Developers LLP
rep. By its Authorised Signatory
Mr.Philip Zachariah
6 Ground Floor, Rayala Towers
Phase II, Anna Salai
Chennai 600 002.

...

Petitioner

Vs

The Commissioner
Corporation of Chennai
Rippon Buildings
Chennai 600 003.

...

Respondent

PRAYER : Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the respondent to consider the representations of the petitioner dated 21/4/2022 and 25/8/2022 and consequentially direct the respondent to refund the sum of Rs.41,86,600/- remitted by the petitioner towards the Building license fee and a sum of Rs.46,70,000/- remitted under the head “Workers Welfare Board” within a date to be stipulated by this Court.



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For Petitioner ... Mr.Jayesh B.Dolia
for Mr.Aiyar and Dolia

For respondent ... Mrs.P.T.Ramadevi

ORDER

This writ petition has been filed to direct the respondent to consider the representations of the petitioner, dated 21/4/2022 and 25/8/2022 and consequently, direct the respondent to refund the sum of Rs.41,86,600/- remitted by the petitioner towards the Building license fee and a sum of Rs.46,70,000/- remitted under the head “Workers Welfare Board” within a date to be stipulated by this Court.

2. The case of the petitioner is that the petitioner Company seeking building permission for the construction of multi-storeyed commercial group development, submitted an application to the respondent on 26/4/2017 for obtaining planning permission with respect to the proposed construction. Due to prevailing market condition and COVID pandemic, the petitioner Company was not able to commence the proposed project. Hence, he addressed a letter to the respondent, expressing the inability to proceed with the project, and made a request to refund the sum of Rs.41,68,600/-. By



way of a reminder, dated 25/8/2022, the petitioner had made a request to refund the above said amount. Since the same has not been considered so far, the petitioner has come forward with the instant writ petition praying for the relief as stated therein.

3. Heard Mr.Jayesh B.Dolia, learned counsel for the petitioner and Mrs.P.T.Ramadevi, learned Standing Counsel for the respondent.

4. Learned Standing counsel appearing for the respondent submitted that if the petitioner produce the document sought for by the respondent, they will consider the case of the petitioner and refund the amount, as per law.

5. Submission of the learned Standing Counsel appearing for the respondent is recorded.

6. Learned counsel appearing for the petitioner submitted that the documents sought for by the petitioner has already been submitted before the respondent on 13/12/2022, itself.



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7. In such a view of the matter, the respondent is directed to consider the case of the petitioner and dispose of the same, on merits and in accordance with law, within a period of one month, from the date of receipt of a copy of this order.

8. With the above direction, this writ petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

16/12/2022

Index : Yes / No

Internet: Yes

Speaking/non speaking order

mvs.

To

The Commissioner, Corporation of Chennai
Rippon Buildings, Chennai 600 003.

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