



W.P. No. 31933 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2022

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 31933 of 2022

M/s. Royal Land & Developers Pvt., Ltd.,
Represented by its Director,
Thiru. N.Gaurav Bagmar,
Office address: Old. No. 23, New No. 6,
Western Wing, First Floor,
Krishnama Road,
Nungambakkam,
Chennai – 600034.
Petitioner

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-VS-

1. The Chairman,
Chennai Metropolitan Development Authority (CMDA),
Thalamuthu Natarajan Building,
No. 1, Gandhi Irwin Road,
Egmore,
Chennai – 8.
2. The District Collector,
First Floor, Collectorate,
Tiruvallur – 602001.
3. The Commissioner,
Villivakkam Panchayat Union,
Chennai-Thirutani,
Road NH-205, Dobhi Colony,
Kamarajapuram,
Ambattur,
Chennai – 600053.



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4. The Panchayat Union,
Villivakkam Panchayat Union,
Chennai-Thirutani,
Road NH-205, Dobhi Colony,
Kamarajapuram,
Ambattur,
Chennai – 600053.
5. The Superintending Engineer,
Chennai Electricity Distribution Circle, West,
Tamil Nadu Generation of Electricity and
Distribution Corporation (TANGEDCO),
Thirumangalam @ Anna Nagar,
Chennai – 40.
6. The Deputy Planner,
Master Plan division,
CMDA, Chennai – 08.

Respondents

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Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Second to Sixth Respondents in Letter No. CMDA/PP/Layout-1/0053/2022 dated 06.09.2022 within a time frame stipulated by this Court and pass appropriate orders in accordance with law within stipulated time fixed by this Court.

For Petitioners : Mr. N.Adhisheshaiah

For Respondents : Mr. C.Manoharan (for R1 & R6)

Mr. P.Balathandayutham,
Special Government Pleader (for R2)

Mr. T.Arun Kumar,
Additional Government Pleader
(for R3 & R4)



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Mr. L.Jai Venkatesh (for R5)

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ORDER

Heard Mr. N.Adhisheshaiah, Learned Counsel for the Petitioner, Mr. C.Manoharan, Learned Counsel for the First and Sixth Respondents, P.Balathandayutham, Learned Special Government Pleader appearing for the Second Respondent, Mr. T.Arun Kumar, Learned Additional Government Pleader appearing for the Third and Fourth Respondents and Mr. L.Jai Venkatesh, Learned Counsel for the Fifth Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition has been filed for directing the Second to Sixth Respondents to implement the Letter No. CMDA/PP/Layout-1/0053/2022 dated 06.09.2022 sent by the First Respondent.

3. Learned Additional Government Pleader appearing for the Third and Fourth Respondents has filed a memo dated 01.12.2022 stating that by proceedings in Na. Ka. No. 1753/2022/A3 dated 28.11.2022, the Petitioner has been requested to rectify the following defects that have been noticed in the application made by the Petitioner:-



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A. As technical approval gifted portion ought to be delineated with clear fenced boundary.

B. Quality macadam bituminous laid road as per approval.

C. 24 feet approach road not laid and

D. Proposed layout inundated 2 feet during rain, this has to be rectified and provision for rain water drain also to be done.”

It is further stated that if the said defects are carried out within one month, the approval would be granted by the Local Body. In view of the aforesaid action taken by the Respondents, nothing remains for further consideration in the Writ Petition, but it would not preclude the Petitioner, if it has any further grievance, from working out its rights before proper forum in the manner recognized by law.

4. In fine, the Writ Petition is disposed with the aforesaid observations. Consequently, the connected Miscellaneous Petition is closed. No costs.

01.12.2022

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Index: Yes/No



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Note: Issue order copy by 28.12.2022.

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To

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