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W.P.Nos.2549, 2698, 2699 and 2941 of 2022

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

**DATED : 01.09.2023**

**CORAM**

**THE HONOURABLE MR.JUSTICE S.SOUNTHAR**

**W.P.Nos.2549, 2698, 2699 and 2941 of 2022**  
**and W.M.P.Nos.3028, 2868, 2869 and 3089 of 2022**

|                |                                                   |
|----------------|---------------------------------------------------|
| S.Vishnupriya  | ... Petitioner in W.P.No.2549/2022                |
| N.Sheik Dawood | ... Petitioner<br>(in W.P.Nos.2698 and 2941/2022) |
| Asheba         | ... Petitioner in W.P.No.2699/2022                |
| VS.            |                                                   |

- 1.THE MEMBER SECRETARY,  
Chennai Metropolitan Development Authority,  
Thalamuthu Natarajan Maaligai,  
Gandhi Irwin Road, Egmore,  
Chennai – 600 008.
- 2.THE COMMISSIONER,  
Greater Chennai Corporation, Rippon Building,  
Chennai – 600003.
- 3.THE DIRECTOR, Town and Country Planning,  
No.124, Municipal Shopping Complex,  
GST Road, Chengalpattu – 603001
- 4.THE DEPUTY DIRECTOR,  
Town and Country Planning,  
No.124, Municipal Shopping Complex,  
GST Road, Chengalpattu – 603001



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5. THE PRINCIPAL CHIEF ENGINEER,  
Greater Chennai Corporation,  
Rippon Building, Chennai – 600003.

6. THE ZONAL OFFICER,  
Zone XII, Greater Chennai Corporation,  
No.1, New Street, Alandur,  
Chennai – 600 016.

7. THE ASSISTANT EXECUTIVE ENGINEER,  
Works Department,,  
Greater Chennai Corporation,  
Amma Maaligai, “C” Wing  
Chennai – 600 003.

8. THE EXECUTIVE ENGINEER,  
None XII, Greater Chennai Corporation,  
No.1, New Street, Alandur,  
Chennai – 600 016.

9. FEDERATION OF ADAMBAKKAM WELFARE  
ASSOCIATIONS, (Regn No.380/2015), rep. by its Secretary  
Mr.M.Saravanan, Balakrishnapuram Kudiyiruppor Nala  
Sangam, No.5, 4<sup>th</sup> Street, Balakrishnapuram, Adambakkam,  
Chennai-600 088. ... Respondents (in all WPs)

(R9 Impleaded Vide Order Dated 12.07.2023 Made  
in W.M.P.Nos.18996 and 18998/2022 in  
W.P.Nos.2549 and 2699/2022)

(R9 Impleaded Vide Order Dated 07.09.2022 Made  
in W.M.P.Nos.19541 and 19540/2022 in  
W.P.Nos.2698 and 2941/2022)

**PRAYER in W.P.No.2549 of 2022:** Writ Petition is filed under Article 226  
of the Constitution of India, to issue a Writ of Certiorarified Mandamus,



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calling for the records of the Second Respondent culminated in W.D.C.No.A7/0256/2018 dated 19.02.2019 and to QUASH the same and to consequently direct the Respondents to restore the approval for the Petitioner's Plot comprised in Survey No.174/6 and 174/7 (part), T.S No.24/1B of Adambakkam Village in division 163, Zone – XII.

**PRAYER in W.P.No.2698 of 2022:** Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the Second Respondent culminated in W.D.C.No.A7/0256/2018 dated 19.02.2019 and to QUASH the same and to consequently direct the Respondents to restore the approval for the Petitioner's Plot No.8, comprised in Survey No.174/6 and 174/7 (part) of Adambakkam Village in division 163, Zone – XII.

**PRAYER in W.P.No.2699 of 2022:** Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the Second Respondent culminated in W.D.C.No.A7/0256/2018 dated 19.02.2019 and to QUASH the same and to consequently direct the Respondents to restore the approval for the Petitioner's Plot comprised in Survey No.174/6 and 174/7 (part), T.S No.24/1C of Adambakkam Village in division 163, Zone – XII.

**PRAYER in W.P.No.2941 of 2022:** Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the Second Respondent culminated in



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W.D.C.No.A7/0256/2018 dated 19.02.2019 and to QUASH the same and to consequently direct the Respondents to restore the approval for the Petitioner's Plot comprised in Survey No.174/6 and 174/7 (part), T.S.No.24/2C of Adambakkam Village in division 163, Zone – XII.

For Petitioners : Mr.A.G.Karthik Kumar  
(in all WPs)

For R1 : Mr.R.Sivakumar  
Standing Counsel (CMDA)  
(in all WPs)

For R2, 5 to 8 : Ms.P.T.Ramadevi  
Standing Counsel  
(in all WPs)

For R3 and R4 : Mr.N.Naveenkumar  
Government Advocate  
(in all WPs)

For R9 : Mr.Ravichandran

### **COMMON ORDER**

When these matters are taken up for hearing, the learned counsel for the petitioners made a request to withdraw the writ petitions with liberty to file an appeal before the Director of Town and Country Planning as provided under Rule 17 of Tamil Nadu Regularisation of Unapproved



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Layouts and Plots Rules, 2017. The learned counsel also made an endorsement to that effect.

2. In view of the endorsement made by the learned counsel for the petitioners, leave is granted. These writ petitions are dismissed as withdrawn with liberty to the petitioners to avail alternative remedy of appeal. The petitioners are entitled to exclude the period of pendency of the writ petitions (i.e) from the date of filing of the writ petitions to the date of receipt of copy of this order while calculating limitation for filing appeal. [Date of filing of W.P.No.2549 of 2022 ? 03.01.2022, W.P.Nos.2698, 2699 and 2941 of 2022 ? 05.01.2022]. No costs. Consequently, the connected miscellaneous petitions are closed.

**01.09.2023**

Index : Yes/No

Speaking order: Yes/No

Neutral Citation: Yes/No

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**Note: The Registry is directed to return the original impugned order to the learned counsel for the petitioners.**



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8. THE EXECUTIVE ENGINEER,  
None XII, Greater Chennai Corporation,  
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**S.SOUNTHAR, J.**

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