



WEB COPY



W.P.No.25200 of 2004

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.25200 of 2004
and
W.P.M.P.No.30650 of 2004
and
W.V.M.P.Nos.767 & 768 of 2005

G.Bakiyalakshmi

...Petitioner

Vs.

1.The Secretary,
Housing and Urban Development
Department, Secretariat,
Chennai – 9.

2.The Director,
Town and Country Planning,
Chengalvarayan Building,
4th Floor, Chennai – 2.

3.The Executive Officer,
Special Grade Town Panchayat,
Mamallapuram,
Kancheepuram District.

4.Member-Secretary,
Mamallapuram New Town
Development Authority,
Mamallapuram.

..Respondents



W.P.No.25200 of 2004

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for records from the files of the first respondent and quash the order of the first respondent being Ref.No.G.O.(D).No.526, Housing and Urban Development (UD.4.1) Department dated 06.08.2004 pertaining to the petitioner School building in Survey No.148/5A measuring 51 cents in Mamallapuram Village and directing respondents 3 to 5 to sanction the planning permission application of the petitioner for school building in S.No.148/5A Mahabalipuram Village, Kancheepuram District.

For Petitioner : No appearance

For Respondents : Mr.Abishek Murthy
Government Advocate

ORDER

The order impugned passed by the 1st respondent dated 06.08.2004, rejecting the claim of the writ petitioner for granting planning permission is under challenge in the present writ petition.

2. The planning permission was rejected by the 1st respondent mainly on the ground that the petitioner's site falls (Mamallapuram New Town Development Plan) in Monument zone of the Mamallapuram New Town Development Area and that in the Hill lock monument zone, no construction



W.P.No.25200 of 2004

can be permissible within 100 metres of the monument, as notified by the

Archaeological Survey of India.

3. The reasons stated by the 1st respondent for rejection of planning permission is in consonance with the Statutes and the Rules in force. Thus, this Court do not find any infirmity in respect of the order impugned passed by the 1st respondent.

4. Accordingly, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

24.03.2023

Index : Yes
Speaking order
Neutral Citation: Yes

kak

To

1. The Secretary,
Housing and Urban Development
Department, Secretariat,
Chennai – 9.



W.P.No.25200 of 2004

2. The Director,
Town and Country Planning,
Chengalvarayan Building,
4th Floor, Chennai – 2.
3. The Executive Officer,
Special Grade Town Panchayat,
Mamallapuram,
Kancheepuram District.
4. The Member-Secretary,
Mamallapuram New Town
Development Authority,
Mamallapuram.



WEB COPY



W.P.No.25200 of 2004

S.M.SUBRAMANIAM, J.

kak

W.P.No.25200 of 2004

24.03.2023