



WEB COPY



Writ Petition No.31319 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 3/1/2023

C O R A M

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Writ Petition No.31319 of 2014

K. Sathyam

...

Petitioner

Vs

1. The Commissioner
Corporation of Chennai
Ripon Buildings
Chennai 600 003.

2. M. Durgadoss

3. The Assistant Commissioner
Zone X Chennai Corporation

...

Respondents

(R. 3- Suo motu impleaded as per order, dated
20/8/2015 by NKKJ in W.P.No.31319 of 2014)

PRAYER : Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the first respondent to consider the petitioner's representation dated 16/9/2014 and in consequence, to give "No Objection/Approval letter" to reconstruct the petitioner dilapidated compound wall as per the planning approval Rules and Regulations, for the plot situated in No.290/1, 7th Sector, 36th Street, K.K.Nagar, Chennai 600 078.



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For Petitioner	...	Mr.D.Gopal
For respondents	...	Mrs.P.T.Ramadevi Standing Counsel for R.R.1 and 3
		Mr.L.Rajasekar for R.2.

ORDER

This writ petition has been filed to direct the first respondent to consider the petitioner's representation, dated 16/9/2014 and to give “No Objection/Approval letter” to the petitioner to reconstruct the dilapidated compound wall, as per the planning approval Rules and Regulations, for the plot situated in No.290/1, 7th Sector, 36th Street, K.K.Nagar, Chennai 600 078.

2. Heard Mr.D.Gopal, learned counsel for the petitioner, Mrs.P.T.Ramadevi, learned Standing counsel for the respondents 1 and 3 and Mr.L.Rajasekar, learned counsel for the second respondent.

3. Today, when the matter is taken up for hearing, learned Standing counsel appearing for the respondents 1 and 3 submitted that the first respondent has already given No Objection certificate to the petitioner.



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4. The main grievance of the writ petitioner is that despite No Objection Certificate issued by the first respondent, second respondent is still objecting the petitioner from constructing the compound wall.

5. After hearing both sides, what comes to be known is that dispute is between the petitioner and second respondent, which is purely a private dispute and the same cannot be canvassed in a writ Court. In such a view of the matter, as No Objection certificate is already issued by the first respondent, remedy of the petitioner lies elsewhere and not before the writ Court.

6. In view of the above, this writ petition is dismissed. No costs.

3/1/2023

Index : Yes / No
Internet: Yes
Speaking/non speaking order
Neutral Citation: yes/No
mvs.



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N. SATHISH KUMAR, J

mvs.

To

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2. The Assistant Commissioner
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W.P.No.31319 of 2014

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