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WP.No.6284 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

WP.No.6284 of 2023
and W.M.P.No.6303 of 2023

1.Narendra Sakariya
2.Meena Sakariya

.. Petitioners

Versus

The Commissioner
Corporation of Chennai
Ripon Buildings
Chennai – 600 003

.. Respondent

Prayer:- Writ Petition filed under the Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondent to consider the representation of the petitioners dated 06.01.2023 and consequentially direct the respondent to refund the sum of Rs.22,05,500/- remitted by the petitioners towards the building license fee and the sum of Rs.24,35,000/- remitted under the head M.W.G.W.F. of the Tamil Nadu Construction Workers Welfare Board.

For Petitioners : Mr.Jayesh B.Dolia
for M/s.Aiyar and Dolia
For Respondents : Mrs.P.T.Ramadevi

ORDER

This writ petition has been filed to direct the respondent to consider the representation of the petitioners dated 06.01.2023 and consequentially



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direct the respondent to refund the sum of Rs.22,05,500/- remitted by the petitioners towards the building license fee and the sum of Rs.24,35,000/- remitted under the head M.W.G.W.F. of the Tamil Nadu Construction Workers Welfare Board.

2. The case of the petitioners is that the petitioners submitted an application on 24.02.2017 seeking building permission for the construction of school building comprising of two blocks of Ground floor plus 2 floors to the respondent 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, they addressed a letter to the respondent, expressing the inability to proceed with the project, and made a request to refund the sum of Rs.22,05,500/-. By way of a reminder, dated 06.01.2023, the petitioners had made a request to refund the above said amount. Since the same has not been considered so far, the petitioners have 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



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Mrs.P.T.Ramadevi, learned Standing Counsel for the respondent.

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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.

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 six weeks, from the date of receipt of a copy of this order. It is also made clear that if the amount is not paid within the stipulated period, thereafter, the petitioners shall be entitled to



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claim interest.

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

02.03.2023

Index : Yes/No
Neutral Citation : Yes/No
Speaking Order : Yes/No
dhk

To

The Commissioner
Corporation of Chennai
Ripon Buildings
Chennai – 600 003



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N. SATHISH KUMAR, J.

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