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W.P.No.22416 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :28.08.2023

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THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.22416 of 2023

and

W.M.P.Nos.21820 of 2023

Kudisai Vazhvor Nala Urimai Sangam
Rep by its President
V. Sivaji
No.1, Periyar Salai,
Anna Nagar, Hasthinapuram,
Chitlapakkam,
Chennai – 600 064.

...Petitioner

Vs.

1. The Government of Tamil Nadu
Rep. By its Secretary
Housing and Urban Development Department,
Fort St. George,
Chennai – 600 009.

2. The District Collector
Chengalpattu
Tamil Nadu – 603 111.

3. The Directorate of Municipal Administration
No.75, Santhome High Road,
Raja Annamalai Puram,
Chennai – 600 028.



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4. The Commissioner
Tambaram City Municipal Corporation
Tambaram,
Chennai – 600 045.

5. The Member-Secretary
Chennai Metropolitan Development Authority
Thalamuthu-Natarajan Building
No.1, Gandhi-Irwin Road,
Egmore,
Chennai – 600 008.

6. The Municipal Commissioner
Pallavaram Municipality
(Now Tambaram Corporation)
3rd Main road, Pallavaram,
New Colony, Chrompet,
Chennai – 600 044.

7. The Member Secretary
Town and Country Planning Office
Pallavaram Municipality
(Now Tambaram Corporation)
3rd Main road, Pallavaram,
New Colony, Chrompet,
Chennai – 600 044.

8. The Inspector of Police,
Crime Branch, CCB-II,
Vepery, Chennai – 600 007.

9. S. Vijaya

..Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the Respondents 4 to 7 herein to consider and pass orders on merits on the representation dated 26.04.2023 submitted by the petitioner association within the time limit as stipulated by this Court.

For Petitioner : Mr. A. Umasankar

For Respondents 1 to 3, 6 & 7 : Mrs. S. Anitha,
Special Government Pleader

For respondent 4 : Mr. P. Srinivas,
Standing Counsel (Tambaram Corporation)

For respondent 5 : Mr. Y. Bhuvanesh Kumar,
Standing Counsel for CMDA

For respondent 8 : Mr. L. Baskaran,
Government Advocate (Crl Side)

For respondent 9 : Mr. A. Senthil Manohar

ORDER

The writ petition is filed seeking direction to respondents 4 to 7 to consider and pass orders on the representation dated 26.04.2023 submitted by the petitioner association within a time limit stipulated by this Court.



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2. It is stated in the representation of the petitioner that it is an association formed for the welfare of the people living in Anna Nagar, Hasthinapuram, Chitlapakkam, Chennai – 600 064. It is the case of the petitioner that the members of the association has been in lawful possession and enjoyment of their respective properties in the above said locality for more than 60 years. The petitioner in the representation requested the official respondents to take immediate action for granting layout plan and building plan approvals based on the applications submitted by the members of the association.

3. The learned counsel appearing for the 4th respondent submits that pursuant to the representation submitted by the petitioner, they have issued notice to the petitioner's association directing them to give details of the applications submitted by the members of the association and the petitioner has not given the details. If any such details are furnished by the petitioner association, the applications will be considered in accordance with law.



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4. If members of the petitioner's association submitted an application for regularization of their plot and building, it is for them to file appropriate writ petition. The petitioner association cannot maintain an application seeking direction to respondents to consider the applications submitted by the individual members. Accordingly, the writ petition is dismissed with liberty to the members of the petitioner association to file appropriate application. Consequently, connected miscellaneous petition is closed. No costs.

28.08.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
nr

To

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Housing and Urban Development Department,
Fort St. George,
Chennai – 600 009.

2. The District Collector
Chengalpattu
Tamil Nadu – 603 111.

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3. The Directorate of Municipal Administration
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