



WEB COPY



W.P. No. 31304 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2023

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THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 31304 of 2023

D.Lazarus Jacob

... Petitioner

-VS-

1. The Commissioner,
Greater Chennai Corporation,
Rippon Buildings,
Chennai.
2. The Zonal Officer,
Zone – I,
Greater Chennai Corporation,
No. 945, Thiruvottiyur High Road,
Thiruvottiyur, Chennai – 600019.
3. The Executive Engineer,
Zone-I, Division No. 3,
Greater Chennai Corporation,
No. 945, Thiruvottiyur High Road,
Thiruvottiyur, Chennai – 600019.
4. The Assistant Executive Engineer,
Zone-I, Division No. 3,
Greater Chennai Corporation,
No. 945, Thiruvottiyur High Road,
Thiruvottiyur, Chennai – 600019.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the First to Third



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Respondents to grant approval for the application submitted by the Petitioner's mother on 17.10.2022 vide application No. PPA/WDCN01/10053/2022 dated 17.10.2022 for demolition and reconstruction in our property bearing Plot No. 16, present Door No. 31, Udayasuriyan 1st Street, Arignar Anna Nagar, Thiruvottiyur, Chennai – 600019 comprised in Old Survey No. 226 part & 227 part of Sathankadu Village and as per new T.S.L.R., comprised in T.S. No. 109, Block No. 29 of Thiruvottiyur Town & Taluk, Chennai District.

For Petitioner : Mr. R.Sathish Rajan

For Respondents : Mr. E.C.Ramesh

ORDER

Heard Mr. R.Sathish Rajan, Learned Counsel for the Petitioner and Mr. E.C.Ramesh, Learned Counsel, who takes notice for the Respondents, and perused the materials placed on record, apart from the pleadings of the parties.

2. In response to the Application No. PPA/WDCN01/ 10053/2022 dated 17.10.2022 made by the mother of the Petitioner, viz., K.Hepsiba, seeking planning permission for demolition and reconstruction of her property at Plot No. 16, present Door No. 31, Udayasuriyan 1st Street, Arignar Anna Nagar,



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Thiruvottiyur, Chennai, the Fourth Respondent by Letter dated 25.10.2022 had sought for certain clarifications from the Chennai Metropolitan Development Authority and the Local Tahsildar. Though the Chennai Metropolitan Development Authority had sent reply dated 20.12.2022, the said K.Hepsiba subsequently died on 29.12.2022. In that backdrop, the Petitioner has filed this Writ Petition on 01.08.2023 seeking directions to the First to Third Respondents to grant planning permission for the said property, which has devolved upon him by inheritance.

3. When it is pointed out that it would not be possible to grant any relief to the Petitioner in the absence of any explanation from him regarding the clarifications sought by the Respondents from the Local Tahsildar, who has also not been made as party to the Writ Petition, Learned Counsel for the Petitioner seeks permission of the Court to withdraw the Writ Petition reserving the rights of the Petitioner to seek the required details from the Thasildhar and if he has any further grievance thereafter, to pursue appropriate remedies before the proper forum in the manner recognized by law.



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In the result, the Writ Petition is dismissed as withdrawn with aforesaid

clarifications. No costs.

02.11.2023

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Index: Yes/No

Note: Issue order copy by 28.02.2024.

To

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P.D. AUDIKESAVALU, J.

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