



W.P.No.32931 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2023

CORAM

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.32931 of 2023

Vinu Sundaresan

... Petitioner

Vs.

Chennai Metropolitan Development Authority
rep. by its Member Secretary,
Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road,
Egmore,
Chennai - 600 008.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Mandamus, directing the respondent to
consider the application of the petitioner dated 30.10.2023 re-
submitted on 06.11.2023 within a stipulated period.



W.P.No.32931 of 2023

For Petitioner : Mr.K.Selvaraj
For Respondent: Mr.V.Sudalaislvam
Standing Counsel

ORDER

This Wit Petition has been filed seeking for a direction to the respondent to consider the application of the petitioner dated 30.10.2023 re-submitted on 06.11.2023 within a stipulated period.

2.It is the case of the petitioner that he is the owner of the property bearing Door No.3/177, Plot No.14, Samudradwara Road, now called as Rajaji Salai, Uthandi, Chennai, comprised in R.S.No.2/2A, S.No.2/1 as per document and as per patta, it is S.No.2/10 and S.No.2/4 of Uthandi Village, Sholinganallur Taluk, which is within the limits of Greater Chennai Corporation.

3.According to the petitioner, he submitted his application for



W.P.No.32931 of 2023

planning permission to get site approval dated 30.10.2023 to the respondent for the abovesaid property. The same was returned vide letter dated 04.11.2023 by the respondent for want on certain documents and certain compliances. The defects pointed out by the respondent have been complied with by the petitioner and re-submitted to the respondent on 06.11.2023. The petitioner has also submitted FMB Sketch issued by the competent revenue officials, approved demolition plan, photo of the petitioner in Form-A and declaration letter stating PPA before constructing the proposed development. The petitioner has also rectified the corrections in Sl.Nos.7 to 10 in the letter of the respondent dated 04.11.2023 with regard to the first deficiency in the letter 04.11.2023. He would submit that there is an existing road on the landward side of the petitioner's property and the said road is also captured in Google Map authenticated by National Centre for Sustainable Coastal Management and the same has also been lying next to the Macha



W.P.No.32931 of 2023

WEB COPY

Narayana Temple belonging to the Chinmaya Mission which is located within 50 meters of the petitioner's property. Therefore, the petitioner has complied with all the defects mentioned in the letter dated 04.11.2023 and has re-submitted the application on 06.11.2023. Though the petitioner re-submitted his application to the petitioner on 06.11.2023, the respondent did not consider the application till date.

4.The learned counsel appearing for the respondent would submit that if the papers are authenticated and filed with appropriate annexure, the respondent will consider the same, since there are some defects in the application submitted by the petitioner. He would further submit that after re-submitting the application along with the documents mentioned in the affidavit, the same will be considered and pass orders in accordance with Law.



W.P.No.32931 of 2023

WEB COPY

Therefore, this Court directs the respondent to consider the application along with the supporting documents submitted by the petitioner and pass appropriate orders in accordance with Law within a period of eight weeks from the date of receipt of a copy of this order. No costs.

24.11.2023

Index :Yes/No
Speaking order :Yes/No
Neutral citation:Yes/No
mps

To

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



WEB COPY



W.P.No.32931 of 2023

V.BHAVANI SUBBAROYAN, J.

mps

W.P.No.32931 of 2023

24.11.2023