



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 11.01.2024

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.768 of 2024

E.M.C.Palaniappan

... Petitioner

Vs

1.The General Manager

Southern Railway,
Headquarters Office,
Park Town,
Chennai 600003.

2.The Senior Divisional Engineer

South Coordination
Engineering Department
Southern Railways,
Poonamallee High Road,
Chennai 600008.

3.The Divisional Railway Manager

Works Branch,
Southern Railway,
Parktown,
Chennai 600003

4.The Member Secretary

Chennai Metropolitan Development Authority,



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Thalamuthu Natrajan Building,
No.1, Gandhi Irwin Road,
Egmore,
Chennai 600008

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1-3 to consider the application of the petitioner dated 16.12.22 seeking No Objection certificate for the proposed construction of high rise building at Door No. 20 to 33 M.K.N. Road, Guindy, Chennai-16 in Old T.S. No. 4/2B, T.S. No. 6, Block No.21, Ward-H, Alandur Village, Chennai by the petitioner in accordance with law within a time a frame as determined by this Honble court.

For Petitioner : Mr.P.Solomon Francis
For Respondents : Ms.S.P.Aarthi (R1 to R3)
R4 – Not pressed

ORDER

Learned counsel for the petitioner makes an endorsement to the effect that the petitioner is not pressing this Writ Petition as against R4/Member Secretary, Chennai Metropolitan Development Authority. Hence, this Writ Petition is dismissed as against R4 alone.

2. Ms.S.P.Aarthi, learned counsel accepts notice for R1 to R3 and is armed with instructions to enable final disposal of this Writ Petition, even at the stage of admission.



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3. She expresses no objection to the issuance of mandamus for consideration of the petitioner's representation dated 16.12.2022, wherein the petitioner has sought issuance of No Objection Certificate for the proposed construction of high rise building at Door No. 20 to 33 M.K.N. Road, Guindy, Chennai-16 in Old T.S. No. 4/2B, T.S. No. 6, Block No.21, Ward-H, Alandur Village, Chennai.

4. Hence, seeing as the representation is admittedly pending for more than a year as on date, mandamus is issued to R3 to consider the representation of the petitioner and pass orders on the same/issue NOC sought for, in accordance with law, after hearing the petitioner, within a period of six (6) weeks from today.

5. This Writ Petition is disposed as above. No costs.

11.01.2024

Index : Yes / No

Speaking order

Neutral citations: Yes

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To

1. The General Manager

Southern Railway,

Headquarters Office,

Park Town, Chennai 600003.



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Dr.ANITA SUMANTH,J.

S1

2.The Senior Divisional Engineer
South Coordination
Engineering Department
Southern Railways,
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Chennai 600008.

3.The Divisional Railway Manager
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Southern Railway,
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