



W.P.No.2886 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.2886 of 2021

and

W.M.P.No.3231 of 2021

M/s.Ceebros Hotels Pvt Ltd
Rep by its Managing Director,
C.Subba Reddy,
'Sukriti', 19-A, III Cross Street,
R.A.Puram, Chennai - 600 028.

.... Petitioner

Vs

1. Union of India
Represented by Secretary,
Ministry of Defence,
New Delhi.

2.The Director General,
Defence Estates, Cantonment Section,
Raksha Samapada Bhavan,
Ulan Bhat Marg, New Delhi-10.

3.General Officer in Commanding - in -chief,
Southern Command,
Pune, Maharashtra.

4.Principal Director
Defence Services,
Southern Command,
Pune, Maharashtra.



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5.The Chief Executive officer
Cantonment Board,
St.Thomas Mount,
Pallavaram, Chennai.

.... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's planning application dated 20.11.2020 in the light of revised building Bye-laws forwarded by the 5th respondent and recommended by the 3rd and 4th respondents vide proceedings in No.8121/Bldg Bye Laws/STM/C/DE dated 27.10.2017 and grant planning approval as permissible under the revised building bye-laws of St.Thomas Mount Cantonment Board dated 17.12.2016 in CBR No.21.

For Petitioner	: Ms.R.V.Gayathri for Mr.P.B.Ramanujam
For R1 to R4	: Mr.R.P.Pragadish
For R5	: Mr.C.Mohan for M/s.King & Patridge

ORDER

This Writ Petition has been filed for a direction, directing the respondents to consider the planning application dated 20.11.2020 in the light of revised building Bye-laws forwarded by the 5th respondent and recommended by the 3rd and 4th respondents vide proceedings in No.8121/Bldg Bye Laws/STM/C/DE dated 27.10.2017.



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2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. Without expressing any opinion on the merits of the writ petition, the fifth respondent is directed to consider the application dated 20.11.2020 submitted by the petitioner and dispose of the same on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order, if not already disposed of. However, the petitioner is at liberty to comply with the conditions required for granting planning permission as per the new Bye-Laws.

4. With the above direction, this writ petition stands disposed of. Consequently, connected miscellaneous petition is closed.
No costs.

18.10.2024

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
Lpp



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G.K.ILANTHIRAIYAN. J.

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To

1. The Secretary,
Union of India, Ministry of Defence,
New Delhi.

2. The Director General,
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Raksha Samapada Bhavan,
Ulan Bhat Marg, New Delhi-10.

3. General Officer in Commanding - in -chief,
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5. The Chief Executive Officer,
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