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W.P. No. 7620 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.03.2024

CORAM

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

W.P. No. 7620 of 2024

and

W.M.P. No. 8539 of 2024

A.Poongavanam

... Petitioner

-VS-

1. The Greater Chennai Corporation
Rep. By its Commissioner
Ripon Building, Chennai-600003.

2. The Executive Engineer
Greater Chennai Corporation
Zone VIII, 2nd Street East
Pulla Avenue, Shenoy Nagar
Chennai – 600030.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Second Respondent to consider and pass orders on the application vide No. PPA/WDCN08/01393/2024 dated 14.02.2024 in accordance with law to accord permission for demolition and reconstruction of the building at New No. 109, Old No. 107D, Periyarpathai, Choolaimedu, Chennai – 600094 expeditiously.

For Petitioner : Mr. N.Ganesh

For Respondents : Mr. D.B.R.Prabhu



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ORDER

Heard Mr. N.Ganesh, Learned Counsel for the Petitioner and Mr. D.B.R. Prabhu, Learned Counsel who takes notice for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance ventilated by the Petitioner is that he had made Application No. PPA/WDCN08/01393/2024 dated 14.02.2024 to the Second Respondent to accord permission for demolition and reconstruction of the building situated at New No. 109, Old No. 107D, Periyarpathai, Choolaimedu, Chennai – 600094, but as it did not evoke any response, it has necessitated the filing of this Writ Petition.

3. Having regard to the aforesaid submissions made, this Court without expressing any view on the merits of the controversy, passes the following order:-

(i) the Second Respondent shall immediately examine the application dated 14.02.2024 made by the Petitioner including ascertaining as to whether the Petitioner would be entitled for such relief claimed and conduct



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necessary inspection of the site following the prescribed procedure;

- WEB (ii) if it is found that any other details or supporting documents is necessary, the deficiencies in that regard shall be informed in writing to the Petitioner requiring the same to be furnished within a time frame of not less than 10 days for the same;
- (iii) in the event of not being satisfied with the requirements even thereafter, an enquiry shall be conducted affording full opportunity of personal hearing to the Petitioner and all other persons concerned to explain their position in that regard;
- (iv) a reasoned order shall be passed dealing with each of the contentions raised on merits and in accordance with law and the decision taken communicated under written acknowledgment; and
- (v) the report of such compliance shall be filed by 31.08.2024 before the Registrar (Judicial) of the Court.

In the result, the Writ Petition is disposed on the aforesaid terms. Consequently, the connected Miscellaneous Petition is closed. No costs.

25.03.2024

Index: Yes/No



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NCC: Yes/No

Note: Issue order copy by 18.04.2024.

Maya

To

1. The Commissioner
Greater Chennai Corporation
Ripon Building, Chennai-600003.
2. The Executive Engineer
Greater Chennai Corporation
Zone VIII, 2nd Street East
Pulla Avenue, Shenoy Nagar
Chennai – 600030.

Copy to

1. The Registrar (Judicial),
Madras High Court,
Chennai – 600 104.
2. A.Poongavanam,
S/o. Anandan,
Door No. 7/5, Vinayagapuram 3rd Street,
Arumbakkam,
Chennai – 600 106.



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P.D. AUDIKESAVALU, J.

Maya

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