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W.P.No.24837 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.11.2024

CORAM :

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

**Writ Petition No.24837 of 2019
and WMP Nos.24462 & 24464 of 2019**

M/s.KGEYES Residency Private Limited
Represented by its
General Power of Attorney
Suresh Vaidhyathan
No.5, 1st Street, Subbarao Avenue
Nungambakkam
Chennai 600 006.

.... Petitioner

-Vs-

1.The Chennai Metropolitan
Development Authority
Rep. By its Secretary
Thalamuthu Natarajan Maaligai
No.1, Gandhi Irwin Road
Egmore, Chennai 600 008.

2.The Tamil Nadu Housing Board
Rep.by its Managing Director
Nandanam
Chennai 600 035.



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3.The Special Tahsildar
(Land Acquisition) Sections 1, 2, 4
Tamil Nadu Housing Board Projects
Tamil Nadu Housing Board
Nandanam, Chennai-35.

.. Respondents

(R3 impleaded as per Order dt.20.9.2019
in WMP.27507/2019 in WP.24837/2019 by GJJ)

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records of the 1st respondent comprised in communication dated 4.1.2019 in letter no. BC.1/21476/2018 and quash the condition No.1 insofar as it relates to 'No Objection Certificate' from the Tamilnadu Housing Board and consequently direct the 1st respondent to process the planning permission application of the petitioner in S.B.C. No. 000564/2018 for construction of stilt plus four floors of residential building with 48 dwelling units at Door No. 101 Lamech Street Valasaravakkam, Chennai, Comprised in Old Survey No.151/1G (part), New Survey No. 151/18, Valasaravakkam Village, without insisting upon No Objection Certificate from the 2nd respondent in a time bound manner.

For Petitioner : Mr.S.Ramesh

For Respondents : Mr.Thamaraiselvan
Standing Counsel
for R1

Mr.D.Veerasekaran
Standing Counsel
for R2 & R3



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ORDER

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Writ petition has been filed in the nature of a certiorarified mandamus seeking records of the 1st respondent, the Chennai Metropolitan Development Authority in communication dated 04.01.2019 in letter No.BC.1/21476/2018 and quash the same so far as it relates to 'No Objection Certificate' from the Tamil Nadu Housing Board and direct the 1st respondent to process the planning permission application of the petitioner in S.B.C.No.000564/2018 for construction of stilt plus four floors of residential building with 48 dwelling units at Door No. 101 Lamech Street, Valasaravakkam, Chennai, Comprised in Old Survey No.151/1G (part), New Survey No. 151/18, Valasaravakkam Village, without insisting 'No Objection Certificate'.

2. There is a representation made that the counsel would like to withdraw the writ petition. It is obvious that the relief sought has become infructuous of being addressed by this Court. A counter affidavit had been filed by the 1st respondent, CMDA that the petitioner had applied for planning permission for construction of stilt plus four floors of residential building in afore mentioned lands. It had been stated as follows:



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(4) I state that the proposal was examined, and observed that the site under reference i.e.S.No.151/IG(part) of Valasaravakkam Village is covered under TNHC Land Acquisition 4(1) Notification list. Hence the petitioner was requested to furnish NOC fro TNHB along with some additional particulars in this office letter dated 04.012019. Applicant did not furnish NOC from TNHB and hence the PPA was returned unapproved in this of ice letter dated 10.05.2019.”

3.Since the planning permission had been return unapproved by letter dated 10.05.2019, nothing further survives for adjudication. Writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

13.11.2024

Index : Yes/No

NCS : Yes/No

KP



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C.V.KARTHIKEYAN.,J

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