



WEB COPY



W.P.No.1390 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2024

CORAM:

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

W.P.No.1390 of 2020

P.Rajeshwari

.... Petitioner

Vs

1.The Member Secretary,
CMDA, Egmore,
Chennai – 600 008.

M/S.Loncor Holdings Ltd.,
Having its Registered office at
Arihant VTN square,
New No. 58 (Old No. 104)
GN Chetty Road,
T. Nagar,
Chennai-17.

.... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus directing the 1st Respondent to cancel the revised building approval plan No. C3(S)/14707/2017 dated 15.07.2019 vide PP No. 11972 obtained by the 2nd respondent for the property in S.No.496/7A2 which is stated in the said approval as S. No. 496/7A2A2 and S.No.496/7A2B of Sozhinganallur Village, Sozhingnallur Taluk, Kancheepuram District measuring an extent of 59 cents.

For Petitioner : Mr.D.Parthasarathy



WEB COPY



W.P.No.1390 of 2020

For R1 : Mrs.P.Veena Suresh
Standing Counsel

For R2 : Ms.P.Pavithra Ragavi
for Mr.C.Seethapathy

ORDER

This Writ Petition has been filed for a direction, directing the first respondent to cancel the revised building approval plan No. C3(S)/14707/2017, dated 15.07.2019 vide PP No. 11972, obtained by the 2nd respondent for the property comprised in S.No.496/7A2, which is stated in the said approval as S.No.496/7A2A2 and S.No.496/7A2B, admeasuring 59 cents, situated at Sozhinganallur Village, Sozhingnallur Taluk, Kancheepuram District.

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

3. The petitioner is claiming ownership over the property, which was owned by the second respondent, who obtained a building approval plan in O.S.No.810 of 2015 as against the second respondent. Admittedly, the suit is simply pending for adjudication from the year 2015, and there is no interim order. Further, there is no restraining order issued as against the first respondent. Therefore, the application submitted by the second respondent for



W.P.No.1390 of 2020

the subject property was considered by the first respondent, who granted a revised building approval on 15.07.2019. Therefore, mere the pendency of the suit is not an impediment for the first respondent for granting any building approval.

4. In view of the above, the representation submitted by the petitioner cannot be considered. Thus, the writ petition lacks merit and is liable to be dismissed. Accordingly, this writ petition stands dismissed. No costs.

29.10.2024

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

To

The Member Secretary,
CMDA, Egmore,
Chennai – 600 008.

G.K.ILANTHIRAIYAN. J,

Lpp



WEB COPY



W.P.No.1390 of 2020

W.P.No.1390 of 2020

29.10.2024