



WEB COPY



W.P.No.32742 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.11.2024

CORAM :

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

Writ Petition No.32742 of 2024

Sudarsana Devi

.... Petitioner

-Vs-

1.The Secretary to the Government
Housing and Urban Development
Department
Government of Tamil Nadu
Fort St.George
Chennai 600 009.

2.The Commissioner
Greater Chennai Corporation
Ripon Building
Chennai 600 004.

3.The Executive Engineer
Sone-9
Greater Chennai Corporation
Ripon Building
Chennai 600 004.

.. Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus direct the 2nd and 3rd respondents issue demolish order and permission for construction in the Door No.12/6, Appu Mudali Street, 1st Lane, Mylapore, Village, Chennai 600 004, Comprised in



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R.S.No.2561/10, Block No.51, by considering the petitioner's representation dated 15.10.2024 preferred to the 1st to 3rd respondents in accordance with law within time stipulated by this Court.

For Petitioner : Mr.B.M.Santharam

For Respondent : Mr.T.Chandrasekaran
Special Government Pleader
for R1

Mr.D.B.R.Prabhu
for R2 & R3

ORDER

The writ petition has been filed in the nature of mandamus seeking a direction against the 2nd and 3rd respondents, Commissioner and Executive Engineer of Zone-9, Greater Chennai Corporation, Chennai 600 004, to grant demolition approval and permission for construction in Door No.12/6, Appu Mudali Street, 1st Lane, Mylarore Chennai- 600 004 in R.S.No.2561/10, Block No.51, the petitioner had given a representation on 15.10.2024.

2.In the affidavit filed in support of the writ petition, it had been stated that the petitioner had applied for permission and construction plan and he had received an acknowledgement bearing No.PPA/WDCN09/07992/2024 dated



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30.08.2024. This particular planning permission submitted by the petitioner had been withdrawn by the petitioner by letter dated 13.09.2024. A copy of that letter had been forwarded by the respondents. They have also stated about the same in the status report. The petitioner had not disclosed that he had withdrawn the application.

3.He had thereafter given a representation on 15.10.2024. But in the status report, it had been stated that it may not be possible to grant planning permission since the area is less than 300 Sq.mtrs. The representation may be considered by the respondents but appropriate orders can never be passed on the representation and the petitioner will have to apply afresh for demolition and building plan. At any rate, let the respondents pass a formal order on the representation within a period of three weeks from the date of receipt of copy of this order. The Writ Petition stands disposed of. No costs.

12.11.2024

Index : Yes/No

NCS : Yes/No

KP



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C.V.KARTHIKEYAN.,J

KP

To

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