



W.P.No.8665 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.8665 of 2022

and

W.M.P.No.8582 of 2022

G.Chandru @ Sayee

...Petitioner

-Vs-

1.The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road,
Egmore, Chennai – 600 008.

2.Dr.T.Arul

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Mandamus, directing the 1st respondent to dispose of the objection in No.M2/0694/2022 dated 19.01.2022 on merits after duly giving an opportunity of personal hearing within the time stipulated by this Court and pass such further orders.

For Petitioner : Mr.P.K.Harinath Babu

For R1 : Mr.R.Sivakumar,
Standing Counsel

For R2 : Mr.M.Stalin



W.P.No.8665 of 2022

ORDER

WEB COPY

This writ petition has been filed to direct the 1st respondent to dispose of the objection in No.M2/0694/2022 dated 19.01.2022 on merits after duly giving an opportunity of personal hearing within a time frame stipulated by this Court.

2. Learned counsel appearing for the petitioner would submit that the case of the petitioner is that he is the owner of the vacant property land measuring an extent of 46 cents, comprised in Pymash No.330/1, Old Survey No.286/2, T.S. No.12, Block No.17 of Keelkattalai Village, Pallavaram Taluk (previously in Alandur Taluk), Chengalpattu District, lying within the limits of Greater Chennai Corporation, by virtue of a Settlement Deed dated 20.04.2006, registered as document No.1390 of 2006 in the office of the Sub-Registrar, Alandur and is in possession and enjoyment of the same by running a business in the name & style “G.R. Engineer Company” in the said property.

3. The petitioner executed a Deed of General Power of Attorney dated 06.05.2014 in favour of one P.Sathish Kumar, son of M.Pichai to deal with

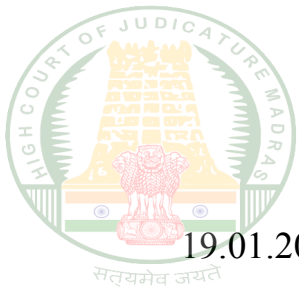


W.P.No.8665 of 2022

the property, including the sale of the same. The said Sathish Kumar sold the said property to the 2nd Respondent for a sale consideration less than the market value and executed a Sale Deed dated 14.05.2014 and registered as document No.4063 of 2014 in the office of the Sub-Registrar, Pallavaram.

4. The Petitioner preferred a complaint before the local police, and the said complaint was also addressed to the revenue authorities and the then local planning authority (Pallavaram Municipality), including the 1st Respondent, and by a letter dated 01.08.2015, in No.M2/15631/2014 the 1st Respondent directed the petitioner to furnish the copies of the title deeds and revenue records pertaining to the property, as against which all the relevant documents, including title deeds and revenue records, were furnished to the 1st Respondent by the petitioner on 18.08.2015.

5. In the meantime, the petitioner was dispossessed by the 2nd Respondent. Thereafter, the 2nd Respondent applied to the 1st Respondent for sanction for the building plan for the proposed construction of a stilt + 5 Floors with 105 dwelling units of residential buildings by availing premium FSI, against which the Petitioner filed his objections vide his letter dated



W.P.No.8665 of 2022

19.01.2022 in No.M2/0694/2022.

WEB COPY 6. Since the 1st Respondent failed to conduct enquiry on the same with the available documents filed along with the objections filed by the petitioner and instead replied in Letter No.PP/NHRB/S/0772/2021-1 dated 15.03.2022, directing the petitioner to produce an order from a Court or to furnish the details of the Court case pending in this regard and to revert within 7 days, failing which the objection will not be considered and the Planning Permission Application will be processed, the Petitioner has come up with the present writ petition.

7. Learned counsel appearing for the 2nd respondent would submit that the objection letter of the petitioner dated 19.01.2022 has already been considered by the 1st respondent and a rejection letter was also addressed to the petitioner vide rejection letter No.PP/NHRB/S/0772/2021-I dated 15.03.2022, which has been filed by the petitioner himself in the typed set of papers at pg no.74. Hence, nothing survives in this writ petition for further adjudication.

8. Heard both sides and perused the materials available on record.



W.P.No.8665 of 2022

WEB COPY

In view of the above facts and circumstances of the case, the **writ petition stands dismissed with the above observations.** No costs.

Consequently, connected miscellaneous petition is closed.

20.02.2025

cda

Index : Yes/No

Speaking/Non Speaking order

To

The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road,
Egmore, Chennai – 600 008.



WEB COPY



W.P.No.8665 of 2022

J.SATHYA NARAYANA PRASAD, J.

cda

W.P.No.8665 of 2022



WEB COPY



W.P.No.8665 of 2022

20.02.2025