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WP No. 19479 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-07-2025

CORAM

THE HONOURABLE MRS JUSTICE N.MALA

WP No. 19479 of 2024

1. R.Palanichamy
2. P.Shanthi

Petitioner(s)

Vs

1. The Managing Director,
Tamil Nadu Housing Board,
No 493, Anna Salai, Nandanam,
Chennai 600 035.

2.The Executive Engineer Works
Department,
Greater Chennai Corporation,
Ribon Building, Chennai- 600 003.

Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, directing the respondents herein to consider the representation letter dated 20.06.2023 and consequently directing the respondents to grant planning permission for property situated in S.F.No.92, Balaji Avenue, Ramapuram Village, Maduravoyal Taluk, Saidapet Joint -II, Sub Registrar Office within the stipulated time.



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For Petitioner(s): Mr.R.Venkatesh

For Respondent(s): Mr.A.M.Ravindranath Jeyapal
Standing Counsel for R1
Mrs.P.T.Rama Devi,
Standing Council for R2

ORDER

The present Writ Petition is filed for issuance of a Writ of Mandamus to direct the respondents herein to consider the representation letter dated 20.06.2023 and consequently directing the respondents to grant planning permission for property situated in S.F.No.92, Balaji Avenue, Ramapuram Village, Maduravoyal Taluk, Saidapet Joint -II, Sub Registrar office within the stipulated time.

2. The case of the petitioners is that they have jointly purchased the aforesaid property by virtue of Sale Deed, dated 14.11.2019, registered as Document No.2596 of 2019. Subsequent to the execution of said deed, the petitioners are in lawful possession and enjoyment of the said property. When the petitioner intend to construct a house in the aforesaid property, the petitioners have applied for planning approval before the Corporation of Chennai on 29.09.2020 for building approval and paid the necessary fee also.



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The second respondent has forwarded the application to the 1st respondent for want of “No Objection Certificate” from the first respondent/TNHB, but till date the first respondent has not issued the NOC. Further, a demand advice dated 12.10.2020 was issued to the petitioners calling upon them to pay fees. It is also stated that the petitioners applied planning approval for Plot No.1 in the same survey number and in the same village and the 2nd respondent has already granted planning permission without insisting N.O.C from the first respondent. Since 2020 onwards the petitioners are approaching the respondents continuously, however, no planning permission has been granted by the respondents. Aggrieved by the same, the petitioner made a representation to the second respondent on 20.06.2023, seeking for grant of planning approval. Despite the receipt of the representation, no action has been taken by the respondents. Hence, the petitioner had filed the present Writ Petition.

3. The learned counsel for the petitioner would submit that, in similar issue this Court in WP No. 5285 of 2024, dated 24.03.2025 passed an order by directing the Committee to consider the application submitted by the petitioner



therein on merits, in accordance with law, and pass appropriate orders within a period of six months from the date of receipt of a copy of this order.

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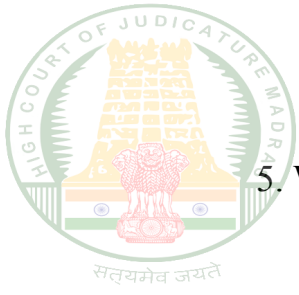
Accordingly, he prayed for passing similar order in the present Writ Petition also. The relevant portion of the order in W.P.No.5285 of 2024 is extracted herein under:

“8. Now since the Committee has been constituted to resolve the grievances raised by the subsequent purchasers, this Court feels it appropriate to direct the Committee to consider the application dated 19.02.2021 submitted by the petitioner.

9. Accordingly, the Committee is directed to consider the application dated 19.02.2021 submitted by the petitioner on merits, in accordance with law, and pass appropriate orders within a period of six months from the date of receipt of a copy of this order.

10. With the above direction, the Writ Petition is disposed of. No costs.”

4. Following the order passed in WP No. 5285 of 2024, dated 24.03.2025, this Court directs the Committee to consider the petitioner's representation dated 20.06.2023 and pass appropriate orders on merits and in accordance with law, within a period of six months from the date of receipt of a copy of this order.



5. With the above directions, this Writ Petition is disposed of . No costs.

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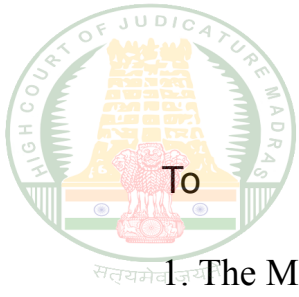
Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

jd/dsn



To

1. The Managing Director,
Tamil Nadu Housing Board,
No 493, Anna Salai, Nandanam,
Chennai 600 035.

2. The Executive Engineer Works Department
Greater Chennai Corporation,
Ribon Building Chennai 600 003.



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N.MALA.J,
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