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Writ Petition No.19077 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2025

CORAM :

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

Writ Petition No.19077 of 2020

V.N.Devadoss

.... Petitioner

.Vs.

1.The Secretary

Housing & Urban Development
Government of Tamil Nadu
Fort St.George
Chennai 600 009.

2.The Member Secretary

Chennai Metropolitan Development Authority
(CMDA) Thalamuthu Natarajan Building
No.1, Gandhi-Irwin Road
Egmore, Chennai 600 008.

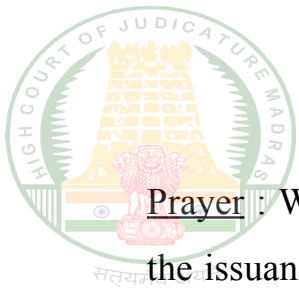
3.The Director of Town & Country Planning

807, Anna Salai
Chennai.

4.The Commissioner

Avadi City Municipal Corporation
Chennai 600 054.

... Respondents



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Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records of the 2nd Respondent in his proceedings in Letter No.L1/905/2019 dated 24.08.2020 to quash the same and to further direct the Respondents to grant Planning Permission to the Petitioner for the lands comprised in Survey No.62/1 (Part) and 65/2 (Part) Paleripattu Village, Poonamallee Taluk, now Avadi Taluk Thiruvallur District within the Limits of Avadi Municipality (Now Avadi City Municipal Corporation) in the II Master Plan published in the Government Gazettee on 02.09.2008 vide GO Ms No.191 of Housing and Urban Development as per the Petitioners Application dated 20.04.2020.

For Petitioners : Mr.Karthik Rajan
for Mr.Menon

For Respondents : Mr.N.Naveen Kumar
Government Advocate
for R1 & R2

Mrs.P.Veena Suresh
Standing Counsel
for R3

Mr.R.Gopinath
Standing Counsel
for R4

ORDER

The Writ Petition has been filed in the nature of a Certiorarified Mandamus to interfere with the order of the 2nd respondent dated 24.08.2020 and



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to direct the respondents to grant Planning Permission to the petitioner for the lands in Survey No.62/1 (Part) and 65/2 (Part, Paleripattu Village, Poonamallee Taluk , now Avadi Taluk in Thiruvallur District.

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2.Let me not enter into discussion on the aspects since in the counter affidavit filed by the 2nd respondent after raising various contentions, in para 15, the respondents have stated as follows:

“15. I further submit that the petitioner can avail Transfer of Development rights for the portion of land surrendered for road and can utilise the TDR Certificate for payment of Premium FSI charges in lieu of cash for the apartment projects developed by its firm or can sell these TDR certificate to private parties”.

3.The learned counsel for the petitioner stated that the petitioner would explore the possibility of availing such transfer of development right for the petitioner. If the petitioner is of such opinion then a representation may be given to the 2nd respondent who may proceed in the manner known to law. The representation must be disposed of within a period of eight weeks from the date of receipt of copy of the representation.



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costs.

4.The Writ Petition stands disposed of with the above directions. No

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Index : Yes/No

NCS : Yes/No

KP



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To

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C.V.KARTHIKEYAN.,J
KP

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