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CHENNAI METROPOLITAN DEVELOPMENT AUTHORITY
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Letter No. PP/INST/S(B1)/0363/2020 Dated: 26.08.2020

To

The Executive Officer,
Chitlapakkam Town Panchayat,
Chennai.

Sir,

Sub: CMDA – APU – (B Channel – South Division) – Planning Clearance for the proposed construction of Ground floor + 3 floors + 4th floor (part) Hostel building with 153 Rooms at Nirmala Garden, Home Road, Judge Colony, Tambaram Sanatorium, Chennai 600047 in S.No.230/B, 231/1, 232, 233B & 234B of Chitlapakkam Village within the limit of Chitlapakkam Town Panchayat- Approved and forwarded to Local Body for issue of Building Permit - Regarding.

- Ref: 1. The PPA received in SBC No.CMDA/PP/INST/S/0363/2020 dated 26.06.2020.
2. G.O.Ms.No.86, H&UD Department dated 28.03.2012.
3. G.O.Ms.No.85, H&UD Department dated 16.5.2017.
4. Govt. letter No.6188/UD4(3)/2017-8 received from H&UD Dept. dated 13.6.2017.
5. G.O.Ms.No.18, Municipal Administration and Water Supply (MA.I) Dept. dated 4.2.2019.
6. W.P.(MD) No.8948 of 2019 & WMP (MD) Nos.6912 & 6913 of 2019 dated 12.4.2019
7. The applicant's letter dated 26.08.2020

Planning Clearance Application for the proposed construction of Ground floor + 3 floors + 4th floor (part) Hostel building with 153 Rooms at Nirmala Garden, Home Road, Judge Colony, Tambaram Sanatorium, Chennai 600047 in S.No.230/B, 231/1, 232, 233B & 234B of Chitlapakkam Village within the limit of Chitlapakkam Town Panchayat received in the reference 1st cited has been examined and Planning Clearance is issued for the proposed Hostel Building only subject to the condition that the revised plan approval will be obtained incorporating all those structures available at the site by complying with the rules and demolish the structures if any violates the rules in force at site after obtaining this adhoc

approval. Scrutiny done for the Hostel Building only and other existing structures at the site under reference is not verified.

2. Two sets of approved Plans are Numbered as **C/2-AtoE/2020 dated.26.08.2020** are sent herewith.

3. The Local Body is requested to ensure water supply and sewerage disposal facility for the proposal before issuing building Permit. It shall be ensured that all wells, overhead tanks are hermitically sealed with properly protected vents to avoid mosquito menace. Non provision of rain water harvesting structures shown in the approved plan to the satisfaction of the Authority will also be considered as a deviation to the approved plan and violation of Tamil Nadu Combined Development Building Rule 2019 and enforcement action will be taken against such development.

4. The Planning Clearance for buildings is issued in accordance with the provisions of the Town & Country Planning Act, 1971 and the rules made there under. All other statutory clearance as applicable to this project shall be obtained by the project proponent from the competent Authority. The Town & Country Planning Act provision does not cover the Structural Stability aspect of the building including the safety during the construction. However, these aspects are covered under the provisions of the Local Bodies Act.

5. As far as, the Structural Stability aspect of the building is concerned, it falls within the jurisdiction of the Local Body concerned as stated in the Building Rules under the respective Local Body Act 1920, such as Madras City Municipal Corporation Act 1919, Tamil Nadu District Municipality Act, 1924, Tamil Nadu Panchayat Act, 1994, The Planning Permission issued under the provision of Tamil Nadu Town & Country Planning Act 1971, does not cover the Structural Stability aspect. However, it is the sole responsibility of the applicant / developer /Power Agent and the Structural Engineers / License Surveyor / Architects who has signed in the plan to ensure the safety during construction and after construction and also for the continued structural stability of the buildings. In this regard, applicant along with the Architect and Structural Engineer and Construction Engineer has furnished necessary undertakings for Structural Design Sufficiency as well as for supervision in the prescribed formats.

6. Issuance of Planning Clearance by CMDA under the statutory provisions does not confirm any ownership or title over the property, in favour of the applicant. Before issuing Planning Permission for any development, CMDA in this regard, checks only the aspect of applicant's right over the site under reference to make the development thereon based on the copies of the documents (such as Sale Deed, Patta, Lease Deed, Gift Deed etc., and GPA) furnished by the applicant along with his /her application to prove the same. Thus, CMDA primarily considers only the aspect whether the applicant prima facie has a right to carry out development on the site under reference.

Any person who acquires interest in the property shall ensure independently about the ownership and the applicant's right before acquiring the same. Further, if any individual claim right (or) title over the property he / she / they shall have to prove it before the appropriate / competent Court to decide on the ownership or get the matter settled in the Court of Law and CMDA is not the competent authority to decide on this matter.

7. This Planning Clearance is not final. The applicant has to approach The Executive Officer, Chitlapakkam Town Panchayat for issue of Building Permit under the Local Body Act.

8. Applicant shall not commence construction without building approval from the Local Body concerned.

9. The Planning Clearance issued under New Rule TNCDBR, 2019 is subject to final outcome of the W.P.(MD) No.8948 of 2019 and WMP (MD) Nos.6912 & 6913 of 2019

Yours faithfully,


For Member Secretary

26/8/2020

Encl: Two sets of approved Plans

Copy to:

1. ✓ **Social Welfare and Nutritious Meal programme
Department Government Service Home**
Nirmala Garden, Home Road,
Judge Colony, Tambaram Sanatorium,
Chennai - 600047.
2. **The Member
Appropriate Authority**
108, Uthamar Gandhi Salai
Nungambakkam, Chennai - 600 034.
3. **The Commissioner of Income Tax**
No.168, Mahatma Gandhi Road
Nungambakkam, Chennai - 600 034.
4. **The Senior Planner**
Enforcement Cell CMDA,
Chennai - 600 008.