

- 11 -

CHENNAI METROPOLITAN DEVELOPMENT
AUTHORITY (ADMINISTRATION DIVISION)

Office Order No. 11/2022

Dated. 30.07.2022

Sub: Establishment - CMDA APU - Expeditious disposal of
PPAs – Dispensing with Legal opinion from Government
Pleader - Orders - Issued.

Read: Office Order No.01/2017 dated 06.02.2017

In the Office Order cited above in order to dispose the Planning Permission Application quickly, orders on revised procedure of admission and scrutiny was issued. In the order the documents to be furnished along with Planning Permission Application at the time of admission has been mentioned. One of the documents to be furnished is “*Legal Opinion on the title in favour of the owner from legal officers not below the rank of Govt. Pleader Additional GP / Special GP's in the prescribed format (Annexure-C) along with copies of the documents of title tracing the transfer of rights/ownership since 5.8.1975.*”

Till now for all the applications legal opinion from Government Pleader is being obtained. Representations are being received from the CREDAI and Builders Association not to insist on legal opinion from Government Pleader.

In this regard it is informed that in the online system, the applicants / Architects are insisted to (i) furnish document flow chart for each Survey number and (ii) upload the scanned documents chronologically against each document. Further, in order to confirm the genuineness of the documents, FMB sketches and patta, integration of the online system with the DOSS and Registration Department has also been done.

Also in final approval letter it is mentioned that “*Issuance of Planning Permission 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. All other statutory clearance as applicable to this project shall be obtained by the project proponent from the competent authority.”

In view of above, Legal Opinion on the title in favour of the owner from Government Pleader need not be insisted.

Sd/- ANSHUL MISHRA
MEMBER SECRETARY

To:

1. All Chief Planners
2. All Senior Planners
3. All Deputy Planners (APU / EC / Reg. Unit)
4. All Assistant Planners (APU / EC / Reg. Unit)
5. All Planning Assistants Gr.I & II (APU / EC / Reg. Unit)

Copy to:

PC to VC (FAC), CMDA

PC to MS

PC to CEO

PC to SLO i/c

SA to host in CMDA's Website Stock File / Spare

// TRUE COPY // FORWARDED // BY ORDER //

ADMINISTRATIVE OFFICER (FAC).

MJ

16/8-2022
16/8-2022