



W.P.No.9245 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 13.07.2026

CORAM

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P.No.9245 of 2025

and WMP.No.10360 of 2025

Appu Colony Flat Owners Association
Registration No.Chennai Central /1/ 2025,
Rep.by its Secretary R.Singaravelu, Block
No. 311-318, Belly Area, G Block,
Anna Nagar West, Chennai-40.

Petitioner(s)

Vs

1.The Member Secretary
The Chennai Metropolitan Development Authority
(CMDA), No.1, Gandhi Irwin Road,
Chennai-08.

2.The Commissioner
Greater Chennai Corporation
Rippon Buildings, Chennai-03.

3.The Managing Director Tamil Nadu Housing Board
Anna Salai, Nandanam, Chennai- 35.

4.The Tamil Nadu Government
Rep. by its Secretary, Revenue Department Secretariat,
Fort Saint George, Chennai-09.

Respondent(s)

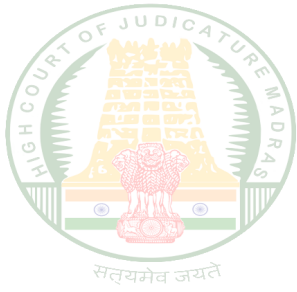


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WEB Prayer: This Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 & 2 to approve by receiving the petitioner-Association's application for demolition and redevelopment by issuing planning permission to construct residential flats in the property situated at Block No.311 to 318 Belly Area, G Block Anna Nagar, West, Chennai - 40 in Survey No.207 Part of Thirumangalam Village in Joint Patta No.T.S. No.23 Block No.10 in Old Survey No.207- Pt in 2017/ 0153/ 02/ 005291 TR dated 11.01.2017 bearing a total extent of 47, 842.695 Sq.ft (4444.732 Sq.Mt) (19.934 grounds) as per topographical survey without insisting on production of certificate from the 3rd respondent for according sanction for the redevelopment.

For Petitioner : Mr.M.Vijaya Kumar

For Respondents : Mr.R.Thamarai Selvan for R1
Standing Counsel
Mrs.Aswini Devi.K for R2
Standing Counsel (GCC)
Mr.D.Veerasekaran for R3
Mr.P.Siddarth for R4
Government Counsel



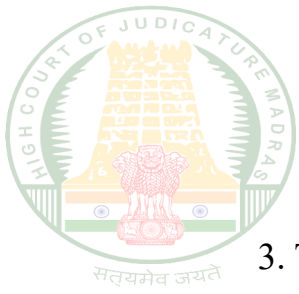
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ORDER

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The petitioner, a registered association, has filed the present writ petition seeking a direction to respondents 1 and 2 to grant planning permission for the demolition and redevelopment of the residential complex situated at Block Nos.311 to 318, Belly Area, “G” Block, Anna Nagar West, Chennai – 600 040, comprised in Survey No.207 (Part) of Thirumangalam Village, Joint Patta T.S. No.23, Block No.10, corresponding to Old Survey No.207 (Part), covered under Document No.2017/0153/02/005291 TR dated 11.01.2017, measuring an extent of 47,842.695 sq.ft. (4,444.732 sq.m.) or 19.934 grounds, without insisting upon the production of a No Objection Certificate from the third respondent.

2. The subject property was originally developed by the third respondent as a residential complex comprising eight blocks with six flats in each block, totalling 48 flats. The flats were allotted to the members of the petitioner’s association through registered sale deeds. The residential complex was constructed in the year 1985, and since then the members of the petitioner’s association have been in peaceful possession and enjoyment of their respective flats.



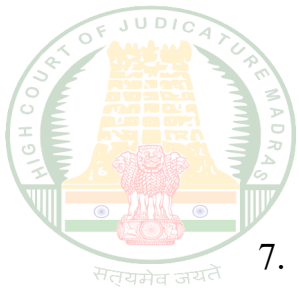
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3. The petitioner states that the buildings have become dilapidated and are unfit for human habitation. Accordingly, all the flat owners resolved to demolish the existing structures and redevelop the property. Pursuant thereto, the petitioner submitted an application to the first respondent seeking approval of the redevelopment plan and permission for demolition. However, the said application has not been considered till date.

4. Heard the learned counsel appearing for the parties and perused the materials placed on record.

5. The first respondent has filed a counter affidavit stating that the petitioner's application for planning approval would be considered, subject to the production of a No Objection Certificate from the third respondent.

6. The third respondent has filed a counter affidavit stating that, upon execution of the sale deeds in favour of the allottees, the Board ceased to have any right, title or interest over the subject property. It is further stated that, in view of the transfer of ownership, there is no requirement for the third respondent to issue any No Objection Certificate in favour of the petitioner's association.



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7. The learned counsel appearing for the second respondent, on instructions, submitted that no application has so far been received from the petitioner seeking permission to demolish the existing structures. It is further submitted that, if such an application is submitted, the same will be considered and disposed of within the time to be stipulated by this Court.

8. In view of the aforesaid submissions, the Writ Petition is disposed of with the following directions:

(i) The first respondent shall consider the petitioner's application for planning approval and accord permission for the redevelopment of the subject property in accordance with the plan submitted by the petitioner, provided the petitioner satisfies all other statutory requirements, without insisting upon a No Objection Certificate from the third respondent. The said exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

(ii) The petitioner shall submit a fresh application to the second respondent seeking permission to demolish the existing structures standing on the subject property within a period of two weeks from the date of receipt of a copy of this order. Upon receipt of such application, the second respondent shall



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consider and pass appropriate orders granting permission for demolition, subject

to the petitioner satisfying the applicable statutory requirements, within a period of two weeks thereafter. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition is closed.

13.07.2026

Index : Yes/No
Speaking order : Yes/No
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To

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HEMANT CHANDANGOUDAR.J.,

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