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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.06.2023

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.18590 of 2023
and W.M.P No.17828 of 2023

D.Selvaraju

Petitioner

vs.

1.The Chennai Metropolitan Development Authority,
Rep. by its Member Secretary,
Thalamuthu Natarajan House,
01 Gandhi Irwin Roadm, Ansari Estate,
Egmore, Chennai – 600 008.

2.The Director,
O/o. Director of Fire and Rescue Services,
No.17, Rukmani Lakshmipathi Salai,
Emore, Chennai – 600 008.

3.The Joint Director,
Fire and Rescue Service (Northern Region)
No.17, Rukmani Lakshmipathi Salai,
Emore, Chennai – 600 008.

4.M/s.Raniance Realty Developers India Limited,
(Having CIN U45201TN2007PLC062662)
Represented by its Managing Director/Chief Executive Officer,
Having Registered Office at
No.480, Khivraj Complex II
Anna Salai, Nandanam, Chennai – 600 035.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance
of a Writ of Mandamus, directing the respondents 1 to 3 to consider the



representation dated 27.02.2023 and initiate appropriate steps in the manner known to law within a stipulated time.

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For Petitioners : Mr.Ralph V.Manohar

For Respondents : Mrs.R.Revathy
Standing Counsel for R1

Mrs.S.Mythreye Chandru
Special Government Pleader
for R2 & R3

ORDER

Mrs.R.Revathy, learned Standing Counsel takes notice on behalf of the 1st respondent.

2.Mrs.S.Mythreye Chandru, learned Special Gov takes notice on behalf of the respondents 2 and 3.

3.This writ petition has been filed for issue of writ of mandamus directing the official respondents to deal with the representation made by the petitioner on 27.02.2023, wherein, the petitioner has pointed out to some of the discrepancies/deficiencies on the part of the 4th respondent and has sought to rectify the same through the official respondents.

4.Heard Mr.Ralph V.Manohar, learned counsel appearing on behalf of the petitioner, Mrs.R.Revathy, learned Standing Counsel appearing on behalf of the 1st



respondent and Mrs.S.Mythreye Chandru, learned Special Government Pleader appearing on behalf of the 2nd & 3rd respondents.

5.The petitioner who is a resident of Radiance Icon which was developed by the 4th respondent has broadly complained of major discrepancies/deficiencies on the part of the 4th respondent. The first issue that has been raised by the petitioner is that there are nearly 322 flats and even as per the approval granted, the Fire and Rescue Services has imposed certain conditions to ensure that the fire protection devices are properly maintained. According to the petitioner, at present, the fire fighting devices are absolutely inadequate to deal with any contingencies in case of a fire accident. That apart, the petitioner has also complained that the 4th respondent had approval only for 323 car parks and whereas, he had put in 367 car parks. The extra place that has been consumed by way of putting car parks, actually covers the area which is the periphery for the movement of the fire engine in case of any fire accident. In view of the same, the petitioner made a representation to the respondents and since the same did not evoke any response, the present writ petition has been filed before this Court.

6.Considering the facts and circumstances of the case and the limited relief that has been sought for in the present writ petition, there shall be a direction to the 1st respondent to consider the representation made by the petitioner on 27.02.2023 and make an inspection of the flat premises to see if there is any violation of the approval



granted by the 1st respondent in terms of allotment of more car parks than what was approved by the 1st respondent. There shall also be a direction to the 2nd and 3rd respondents to deal with the representation dated 27.02.2023 and make an inspection and ensure that the fire safety devices and other conditions imposed by the fire and rescue services are put in place. The official respondents shall ensure that the safety measures that were imposed as conditions are fulfilled in total to ensure that the large amount of flats that are occupied by the residents do not face any disaster at a crunch situation. The needful shall be done by the respondents 1 to 3, within a period of eight weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the respondents 1 to 3 along with all the relevant documents and also a copy of this order.

7.This writ petition is disposed of in the above terms. No Costs. Consequently, connected miscellaneous petition is closed.

26.06.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
ssr



To

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N. ANAND VENKATESH, J.

SSR

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