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WP.No.7595 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2025

CORAM

**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE K.RAJASEKAR**

W.P.No.7595 of 2024

and

WMP.Nos.8516, 8517 & 8519 of 2024

Koshy Thomas

... Petitioner

Vs.

1. Member Secretary,
Chennai Metropolitan Development Authority,
No.1, Gandhi Irwin Road,
Chennai - 600 008.
2. The Commissioner,
Corporation of Chennai,
Rippon Building,
Chennai - 600 003.
3. The Executive Engineer,
Zone - VIII,
Corporation of Chennai,
Shenoy Nagar,
Chennai - 600 030.
4. The Government of Tamil Nadu,
Represented by its Secretary,
Housing and Urban Development,
Fort St.George,
Chennai - 600 009.
5. Lifestyle Housing & Infrastructure,



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No.7, Old Nos.2,3 and 4,
Halls Road, 2nd Floor,
Egmore, Chennai - 600 008,
Represented by its partner
Ajay Gulecha.

6. R.K.M.Suresh

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, seeking for an issuance of writ of certiorarified mandamus, calling for the records pertaining to G.O.(3D) No.68, dated 29.02.2016 issued by the 4th respondent Government Housing & Urban Development Department and published in Tamil Nadu Government Gazette dated 16.03.2016 relating to the regularisation of the existing residential buildings constructed on the Plot No.A to F, Lamech Avenue, Chetpet, Chennai and quash the same and direct the respondents 1,2,3 & 4 to take appropriate action in accordance with law against any illegal construction put up by the 5th and 6th respondents in violation of the norms prescribed under Tamil Nadu Town and Country Planning Act, 1971 and the Development Regulations, and in deviations from the approved sanctioned plans.

For Petitioner : Mr.George Cheriyan

For Respondents : Mr.C.Manoharan
Standing Counsel for CMDA for R1

: Mr.D.B.R.Prabhu
Standing Counsel for GCC for R2 & R3

: Mrs.E.Ranganayaki
Additional Government Pleader for R4
: Mr.V.P.Parivallal for R5



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: Mr.R.Thiagarajan for R6

ORDER

(Order of the Court was made by **S.M.SUBRAMANIAM, J.**)

The writ petition has been filed challenging the Government order in G.O.(3D)No.68, Housing and Urban Development (UD-V) Department dated 29.02.2016, regularising the existing residential buildings constructed at Plot No.A to F, Lamech Avenue, Chetpet, Chennai - 31.

2. Mr.D.B.R.Prabhu, the learned Standing Counsel appearing on behalf of the Greater Chennai Corporation relying on the status report would submit that the deviations are rectified and the Authorities have verified the same. In this regard, paragraph nos.4, 5 and 6 of the status report of the Executive Engineer, Zone-8, Greater Chennai Corporation reads as follows:

"4. ...the 5th respondent herein had demolished the non-FSI Area in each plot (A-F) and demolished the toilet in terrace floor in all the plots (A-F) and in addition to that the 5th respondent herein has obtained a revised sub-division for the said plots (A-F) vide SD/WDCN08/00147/2020, dated 20.11.2020.

5. ...thereafter as per G.O.(3D).No.68, Housing and Urban Development (UD-V) Department dated 29.02.2016 the 6th respondent herein had applied for a revised planning permission for his existing residential building and after scrutinising, the



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Planning Permission for the existing building was accorded vide PPA/WDCN08/08672/2023 and Building Approval vide BA/WDCN08/06875/2023 dated 06.11.2023.

6. *...on receipt of the notice in the above writ petition the building in question was again inspected by the officials of Greater Chennai Corporation and found that the 6th respondent building is as per the approved revised plan and no additional construction are being constructed by the 6th respondent."*

3. Thus, no further adjudication requires to be undertaken and the Writ Petition stands closed. No costs. Consequently, connecting miscellaneous petitions are closed.

[S.M.S,J.] [K.R.S,J.]
29.04.2025

veda
Index:Yes/No
Speaking order/Non-speaking order
Neutral Citation:Yes/No



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To

1. Member Secretary,
Chennai Metropolitan Development Authority,
No.1, Gandhi Irwin Road,
Chennai - 600 008.
2. The Commissioner,
Corporation of Chennai,
Rippon Building,
Chennai - 600 003.
3. The Executive Engineer,
Zone - VIII,
Corporation of Chennai,
Shenoy Nagar,
Chennai - 600 030.
4. The Secretary,
Housing and Urban Development,
Fort St.George,
Chennai - 600 009.



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S.M.SUBRAMANIAM,J.
AND
K.RAJASEKAR,J.

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