



W.M.P.No.12440 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.03.2025

CORAM:

THE HONOURABLE **MRS. JUSTICE V.BHAVANI SUBBAROYAN**

W.M.P.No.12440 of 2025

in

W.P.No.33200 of 2024

1. The Vice Chairman,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road,
Egmore, Chennai – 600 008.

2. The Member Secretary
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road,
Egmore, Chennai – 600 008.

1st and 2nd petitioners/1st and 2nd respondents in
the writ petition

3. Anshul Mishra, I.A.S,
former Member- Secretary, CMDA,
presently working as the Managing Director,
Tamil Nadu Urban Habitat Development Board,
No.5, Kamarajar Salai, Chepauk,
Chennai 600 005.

3rd petitioner/3rd party

Versus

S. Selvanayagam,
S/o late M.Srinivasam
No.12 A, Asalathamman Koil Street,
Mogappair West,
Chennai – 600 037.

..Respondent



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Prayer: This petition is filed under Special Original Jurisdiction to modify the Paragraph Nos. 11 and 12 of the order dated 13.12.2024 made in W.P.No.33200 of 2024 and pass orders.

For Petitioner : Mr.R.Sivakumar

ORDER

The petitioner have filed this petition to modify Paragraph Nos. 11 and 12 of the order dated 13.12.2024 made in W.P.No.33200 of 2024.

2. The 3rd petitioner herein was the Member Secretary of the 2nd petitioner authority at the time when the final orders was passed on 13.12.2024 in W.P.No.33200 of 2024. However, subsequently vide G.O(Ms)No.502 dated 09.02.2025, the petitioner was transferred from the post of Member Secretary, CMDA and is presently working as Managing Director, TNUHDB.

3.The sum and substance of the case is that, in the order dated 13.12.2024 in W.P.No.33200 of 2024, this Court has made an observation that the second respondent therein had no authority to issue the suspension order and that the subsequent revocation order was issued without jurisdiction. This Court further observed the attitude of the



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second respondent in interfering with the Court proceedings, and noted that since the Court is seized of the issue, the second respondent could have approached the Court for further proceedings, but he had not done so. Hence, this Court had directed the second respondent to pay costs of Rs.25,000/- to the State from his salary. The petitioners have come up with this petition seeking to file a modification petition.

4.The learned counsel for the petitioners submitted that the payment of costs would affect the 3rd petitioner's service records, the same would be treated as a black mark in his service, and that his promotional aspects would also get affected. Hence, prays to allow this petition.

5. Being satisfied with the submission made by the learned counsel for the petitioners, this petition is allowed and the petitioners are permitted to file a modification petition.

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Speaking order : Yes/No
Neutral citation : Yes/No
Index : Yes/No
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V.BHAVANI SUBBAROYAN, J.

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