



W.P.No.18251 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.05.2025

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN
AND
THE HONOURABLE MR. JUSTICE V. LAKSHMINARAYANAN

W.P.No.18251 of 2025 and W.M.P. No.20441 of 2025

Craft Mold (India) Pvt. Ltd.
now known as De Diamond Craft
Mold (I) Pvt. Ltd.
represented by its Authorised Representative
C. Manivannan
No.116-A, II Main Road
SIDCO Industrial Estate
Thirumazhisai
Chembarambakkam Village
Tiruvallur District 600 124

Petitioner

vs.

1. The Principal Secretary to Government
Housing and Urban Development Department
Fort St. George
Secretariat
Chennai 600 009
2. The Member Secretary
Chennai Metropolitan Development Authority
Thalamuthu Natarajan Maaligai
No.1, Gandhi Irwin Road
Egmore
Chennai 600 008
3. The Commissioner
Poonamallee Panchayat Union
Tiruvallur District 600 124

Respondents

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Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus to call for the records relating to the notice passed by the third respondent dated 25.04.2025 and quash the same by declaring it as illegal, arbitrary and in contravention of the Tamil Nadu Town and Country Planning (Removal of Unauthorised Development) Rules, 2022, and violates the Government Order passed by the first respondent in G.O. (Ms.) No.7, Housing and Urban Development [UD4(1)] Department dated 10.01.2023 and direct the third respondent to consider the petitioner's revised planning permission for regularisation.

For petitioner Mr. K. Roopesh

For R1 Mr. L.S.M. Hasan Fizal
Additional Government Pleader

For R2 Mr. Akhil Akbar Ali
Standing Counsel

ORDER

(made by G.R. SWAMINATHAN, J.)

The petitioner challenges the Form IV notice dated 25.04.2025 issued by the third respondent.



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2. It is beyond dispute that the construction put up by the petitioner is in breach of the terms and conditions subject to which approval was granted.

3. After hearing Mr. M.S. Krishnan, learned Senior Counsel for the petitioner yesterday, we clearly indicated that deviation will not be tolerated and adjourned the matter to today.

4. Today, the petitioner has filed an affidavit dated 15.05.2025 and paragraphs 3 and 4 of the said affidavit read as follows:

"3. I submit that when the above writ petition had come up for hearing on 14.05.2025, it was submitted on behalf of the petitioner company that the petitioner company would take all effective steps to bring the building under compliance according to the original planning permission sanctioned by modifying/altering and removing all the unauthorised constructions pending the regularisation application before the third respondent and had requested for some time to carry out the necessary modifications. I further submit that this Hon'ble Court was gracious enough to accept the request and had directed the petitioner company to file an undertaking affidavit for the same.

4. I further humbly submit before this Hon'ble Court that I, as one of the Directors of the petitioner company do hereby undertake to remove all the unauthorized constructions and superstructures put up in contravention of the original planning permission sanctioned and bring the petitioner company in accordance to the original sanctioned plan granted by the third respondent within a period of four months from the date of filing this affidavit before this Hon'ble Court and request this Hon'ble Court to forbear the respondents from taking any coercive action against the company till then."



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5. Recording the undertaking given by the petitioner in the form of an affidavit, we direct the third respondent to keep the impugned proceedings on hold for exactly a period of four months from today.

6. If, by the end of this four months period, the petitioner does not comply with the undertaking, the order impugned in this writ petition can be enforced without issuance of any further notice.

7. This writ petition stands disposed of accordingly sans costs. Connected W.M.P. stands closed.

(G.R.S.,J.) (V.L.N.,J.)
15.05.2025

cad/msv



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