

W.P.No.19354 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.06.2025

CORAM:

THE HONOURABLE MRS.JUSTICE N.MALA

W.P.No.19354 of 2025
and WMP.Nos.21605 & 21606 of 2025

1. P.Ramar

2. N.Lakshmi

... Petitioners

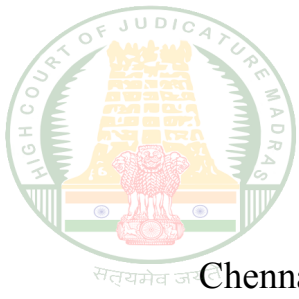
Vs.

1. Member Secretary
Chennai Metropolitan Development
Authority, Thalamuthu Natarajar
Maligai, No.1, Gandhi Irwin road,
Egmore,
Chennai 600 008.

2. The Commissioner
Tambaram City Municipal
Corporation, 28, Muthurengan street,
West Tambaram,
Chennai 600 045.

3. The Block Development Officer
Perumbakkam Panchayat,
Tambaram,
Chennai – 600 100.

4. The Assistant Engineer,
DN-V, Construction Wing,
CMDA, Koyambedu,



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Chennai – 600 107.

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5. M/s.Stepstone Promoters Pvt.Ltd.,
rep.by Chief Executive Officer,
No.1/1, Sakthi Nagar,
2nd Street, Choolaimedu,
Chennai – 600 094.

... Respondents

PRAYER : Writ Petition filed under Article 226 of Constitution of India, to issue Writ of Mandamus to direct the respondents 1 to 4 to act on the representation dated 18.05.2025 by removing the illegal sewage tank connection and take suitable action against the 5th respondent for deviations from the approved planning permission No.67/2013 dated 12.04.2013 on the file of the 1st and 2nd respondents.

For Petitioners : Mr.B.Satish Sundar

For Respondents : Mr.R.Thamaraiselvan
Standing Counsel for R1 & R4
Mr.P.Srinivas

Standing Counsel for R2
Mr.V.Manoharan

Addl.Government Pleader for R3

ORDER

This writ petition is filed for a Writ of Mandamus directing the respondents 1 to 4 to act on the petitioners representation dated 18.05.2025, by

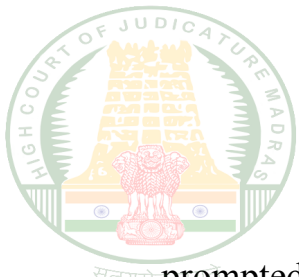


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removing the illegal sewage tank connection and take suitable action against the 5th respondent for deviating from the approved planning permission No.67/2013 dated 12.04.2013 of the 1st and 2nd respondents.

2. With the consent of both side counsels the main writ petition is taken up for disposal.

3. The petitioners are the residents and owners of a flat situated in TAN Block of Achuta apartments, Perumbakkam, Chennai, developed by the 5th respondent. The apartment complex consists of 10 blocks with a total number of 96 residential flats. Each block has individually sanctioned planning permission and separate septic tanks were to be constructed and maintained for each block. The petitioners' flat is located in TAN block and was given planning approval vide proceedings No.67/2013-2014 dated 12.04.2013. While so, the 5th respondent tried to construct a common septic tank, in the designated 20 feet wide internal road/pathway adjacent to the TAN block, which serves as the primary ingress and egress for the entire apartment complex. A notice dated 22.02.2025 issued by the 2nd respondent to the 5th respondent, directing removal of an unauthorised sewage disposal structure erected on the lake front,



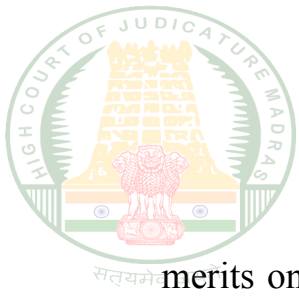
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pathway.

prompted the 5th respondent to construct the common septic tank in the

4. In response to the aforesaid notice, instead of complying with the approved layout plan and connecting the already sanctioned septic tanks constructed for each block, the 5th respondent tried to construct sewage infrastructure in the passage adjacent to the TAN Block, encroaching and obstructing the approved access road and connecting the same to the sump/tank meant for storage of portable/drinking water, in violation of planning norms and without any statutory approval or consent from the residents. Despite several representations and legal notices from the petitioners urging the authorities to prevent this illegal activity and enforce the approved building plan, no action was taken. The petitioners even lodged a police complaint, yet the 5th respondent continued to act in violation of planning norms. As no action was taken on the petitioners representation, the petitioner filed the above writ petition for the aforesaid relief.

5. The learned counsel for the petitioner restricted the prayer in the writ petition to a direction to the third respondent to consider and pass orders on



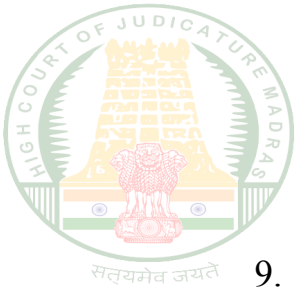
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merits on the petitioner's representation dated 18.05.2025, within a time frame
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to be fixed by this Court.

6. The learned counsel appearing for the respondents 1 to 4 prayed
for reasonable time to dispose the representation.

7. Heard the learned counsel on either side and perused the materials
available on record.

8. Taking into consideration the facts and circumstances of the case and
the limited relief sought by the learned counsel for the petitioner's, this Court
directs the third respondent, to consider the petitioner's representation dated
18.05.2025, by affording an opportunity of personal hearing to the petitioner's
as well as to the 5th respondent, and thereafter to pass appropriate orders on
merits and in accordance with law, in terms of the planning permission, granted
to the 5th respondent, within a period of four weeks from the date of receipt of a
copy of this order.



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9. With the above direction, the writ petition is disposed of. No costs.

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Consequently, connected miscellaneous petitions are also closed.

05.06.2025

dpq

Index : Yes /No

Speaking Order : Yes/No

N. MALA, J.

dpq

To

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