



W.P.No.19611 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.05.2025

CORAM:

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

W.P.No.19611 of 2025

S.Ramalingam

...Petitioner

-Vs-

- 1.The Chairman,
Tamil Nadu Pollution Control Board (TNPCB),
No.76, Mount Salai,
Guindy, Chennai – 600 032.
- 2.The Member Secretary,
Chennai Metropolitan Development Authority (CMDA),
Thalamuthu Natarajan House No:1,
Gandhi Irwin Salai, Ansari Estate,
Egmore, Chennai – 600 008.
- 3.The Commissioner,
Greater Chennai Corporation,
Ripon Buildings, Chennai – 600 003.
- 4.The Inspector of Police,
St.Thomas Mount,
Chennai – 600 016.
- 5.Sri Raja Yoga Centre,
Rep. by its Proprietor, Thiru.V.Rajasekharan,
No.9/41, 13th Street,
Balaji Nagar, Adambakkam,
Chennai – 600 088.

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Mandamus, directing the respondents 1 to 4 herein to take appropriate action against the 5th respondent for unauthorized use of his residential premises as Yoga Centre, without getting necessary approval, by rising a temporary Shed on the terrace and thereby causing public nuisance, noise pollution and haphazard parking of large number of vehicles on the public road, by considering the representation of the petitioner dated 21.04.2021, 22.01.2024 and 24.05.2025, within a time frame to be fixed by this Court.

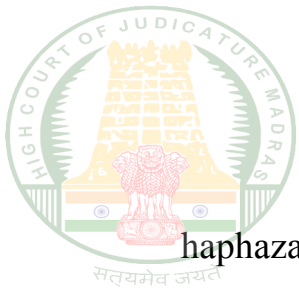
For Petitioner : Mr.S.N.Ravichandran

For R3 : Mr.D.B.R.Prabhu
Standing Counsel

For R4 : Mr.R.Kishore Kumar,
Government Advocate (crl.side)

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus directing the respondents 1 to 4 herein to take appropriate action against the 5th respondent for unauthorized use of his residential premises as Yoga Centre, without getting necessary approval, by rising a temporary Shed on the terrace and thereby causing public nuisance, noise pollution and

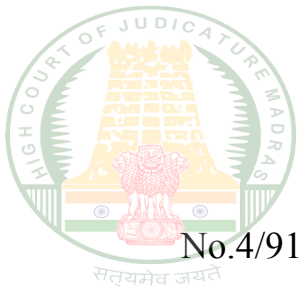


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haphazard parking of large number of vehicles on the public road, by considering the representations of the petitioner dated 21.04.2021, 22.01.2024 and 24.05.2025.

2.The petitioner states that he had purchased a vacant site at Thiruvalluvanagar, Adambakkam, in S.Nos.274/1 and 274/2, to the extent of 1840 Sq. Ft, by registered sale deed dated 19.08.1986, bearing Document No.2378/1986, from Shastri Bhavan Staff House Site and Welfare Society, Madras. After getting all necessary approval, the petitioner constructed a house in 2018, consisting of Ground Floor and First Floor, and he is living in the ground floor along with his wife, daughter and son-in-law. The petitioner's grand children are pursuing their College Education and his son-in-law, who is working in IT concern, has been doing his job at Home and also attends meetings with various clients as directed by his Company, through Online.

3.The petitioner further states that the 5th respondent herein is residing at Sai Ram Street and runs a Commercial Yoga Centre in the name of "SRI RAJA YOGA" in the terrace of residential building located at



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No.4/91, 13th Street, Balaji Nagar, Adambakkam, Chennai 600 088, being a corner property situated on the Northern Side of the 13th Street, Balaji Nagar and Eastern Side of Manickavasagam Street, Thiruvalluvar Nagar, Adambakkam, Chennai- 600 088. It is the case of the petitioner that the 5th respondent runs the Yoga Centre without any approval or permission from the authorities concerned.

4.It is the grievance of the petitioner that the Yoga Centre run by the 5th respondent is creating more noise pollution and nuisance to the neighbouring public. It is the case of the petitioner that the Yoga Centre's roof is covered only with Zinc Sheet and the building is also not meant for commercial activities of any sort and the place is also not conducive for parking vehicles. Though the petitioner submitted various representations to the respondents, there is no action on the part of the respondents. Hence, the petitioner has filed the present writ petition.

5.Learned counsel appearing for the petitioner submitted that, from the information received by the petitioner through Right to Information Act, the petitioner came to know that the residential building has been illegally



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converted to commercial building in the name of “SRI RAJA YOGA”, which causes nuisance to the neighbours. Even as per the RTI information, they have not obtained any prior permission to put up temporary shed in the 5th respondent's residential building.

6.Considering the facts and circumstances of the case, the respondents 1 to 4 are directed to remove the unauthorized temporary structure put up by the 5th respondent in his residential building by giving due notice to the 5th respondent and hear all the parties concerned by following the procedure as per law and pass order on merits in accordance with rules. Time 8 weeks.

7.With this direction, this writ petition is disposed of. No costs.

29.05.2025

mkn/cda

Internet : Yes

Index : Yes / No

Speaking / Non-Speaking Order

Neutral Citation : Yes / No



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