



WEB COPY

WP.No.22571 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 24.06.2025**

CORAM

**THE HONOURABLE MRS. JUSTICE J.NISHA BANU**

**AND**

**THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN**

**W.P.No.22571 of 2025**

**and**

**W.M.P.No.25399 of 2025**

Mahindra Lifespace Developers Limited  
represented by its Authorised Signatory  
Having registered office at  
5th Floor, Mahindra Towers,  
RD No.13, Worli, Mumbai,  
Maharashtra, India - 400 018.

Also having office at:  
The Canopy, Block A,  
1st Floor, unit-II, 2nd mAvenue,  
Mahindra World City,  
Natham Sub (P.O.)  
Chengalpet - 603 002.

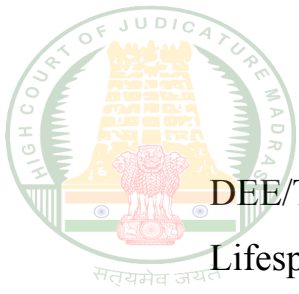
...Petitioner

Vs.

Tamil Nadu Pollution Control Board,  
Through  
The District Environmental Engineer  
Master Plan Complex,  
S.F.No.1/6D & 1/5B,  
Perumbakkam village,  
Tiruvallur - 602 001

... Respondent

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus to direct the respondent to mutate the name of the operator of the STP, which is subject of CTO No.2405159752457 issued through Proceedings No.F.0358TLR/RD/



WP.No.22571 of 2024

DEE/TNPCB/TLR/W/2024 dated 30 August 2024, from "Mahindra Lifespaces Developers Limited" to "Happinest Avadi Home Owners Association".

For Petitioner : Mr.Srinath Sridevan, Senior Counsel  
for Mr.Aditya Mukerjee

For Respondent : Mr.V.Gunasekar,  
Standing Counsel

### **ORDER**

(The order of the Court was made by J.Nisha Banu,J.)

Mr.V.Gunasekar, learned Standing Counsel takes notice for the respondent. by consent of both sides, the main writ petition is taken up for final disposal.

2. This Writ Petition has been filed to direct the respondent to mutate the name of the operator of the Sewage Treatment Plant (hereinafter referred to as STP), which is subject of CTO No.2405159752457 issued through Proceedings No.F.0358TLR/RD/DEE/TNPCB/TLR/W/2024 dated 30 August 2024, from "Mahindra Lifespaces Developers Limited" to "Happinest Avadi Home Owners Association".

3. Heard the learned counsel for the petitioner and perused the materials available on record.

4. Learned counsel for the petitioner would state that the petitioner had handed over the full project to the Homeowners' Association but the respondent issued CTO (Consent to Operate) for the STP (Sewage



WEB COPY

Treatment Plant) in the name of the petitioner instead of the name of Homeowners Association. The STP is neither being operated nor maintained by the petitioner. The petitioner is not having any nexus with the discharge from the said STP. There is no liability placed on the petitioner with respect to the STPs or to deal with or rectify any defects arising out of the STPs in the Project after handing over of the project to the Homeowners' Association. In this regard, on 23.5.2025, the petitioner sent a representation to the respondent, *inter alia* reiterating that in the light of handover of common areas and amenities including the STPs to the Homeowners' Association, the onus and responsibility for the same vest entirely in the Homeowners' association and requested to transfer the subject CTO in the name of the Homeowners' Association but no response is forthcoming.

5. Though the petitioner has come out with a larger prayer, considering the above submissions made by the learned counsel for the petitioner, we are of the opinion that it would suffice if the respondent is directed to dispose of the representation of the petitioner dated 23.05.2025. Accordingly, without going into the merits of the claim made by the petitioner in this writ petition, we direct the respondent to consider the representation of the petitioner dated 23.05.2025 and pass appropriate orders on the same on merits and in accordance with law, after giving due



WP.No.22571 of 202:

opportunity of personal hearing to the petitioner, within a period of four weeks from the date of receipt of a copy of this order. Accordingly, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

**[J.N.B.,J.] [M.J.R.,J.]**  
**24.06.2025**

vsi  
Speaking order/Non-speaking order  
Neutral Citation: Yes/No

To

Tamil Nadu Pollution Control Board,  
Through  
The District Environmental Engineer  
Master Plan Complex,  
S.F.No.1/6D & 1/5B,  
Perumbakkam village,  
Tiruvallur - 602 001



WEB COPY



WP.No.22571 of 2025:

**J.NISHA BANU,J.**  
**AND**  
**M.JOTHIRAMAN,J.**

vsi

WP.No.22571 of 2025

24.06.2025