



WEB COPY



W.P.No.34116 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.10.2025

CORAM :

THE HONOURABLE MR.JUSTICE M.S.RAMESH

AND

THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

W.P.No.34116 of 2023

and

W.M.P.No.33989 of 2023

Balashanthi Arigopalan

...Petitioner

Vs.

1.The Member Secretary,
Chennai Metropolitan Development
Authority (CMDA),
Thalamuthu – Natarajan Maaligai,
No.1, Gandhi Irwin Road,
Egmore, Chennai – 600 008.

2.The District Collector,
Chengelpet,
Chengelpet District.

3.The Thasildar,
No.1, First Cross Street,
New Kumaran Nagar,
Sholinganallur Taluk,
Chengelpet District.

4.The Commissioner,
St.Thomas Mount Panchayat Union,
Chitlapakkam, Chennai.



W.P.No.34116 of 2023

5.The President,
Medavakkam Panchayat,
Tambaram Taluk,
Chengalpattu District.

6.Mr.Vijayakumar,
Proprietor, Hotel Yuva.,
Flat No.F2, Bathragiri Flat,
Ground Floor, Raja Nagar,
Medavakkam, Tambaram Taluk,
Chengalpattu Taluk.

7.Mr.Sathya,
Proprietor, Hotel Yuva.,
Flat No.F2, Bathragiri Flat,
Ground Floor, Raja Nagar,
Medavakkam, Tambaram Taluk,
Chengalpattu Taluk.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of Mandamus to direct the respondents 4 and 5 to take action expeditiously lock and seal Hotel Yuva, running by 6th and 7th respondents in Ground Floor, Bathragiri Flat situated at Raja Nagar, Medavakkam, Tambaram Taluk, Chengalpattu District for violating the planning permit and the conditions for building permissions.

For Petitioner : Mr.R.Rajarajan

For R1 : Mr.R.Thamaraiselvan
Standing Counsel

For R2 to R5 : Mr.G.Ameedius
Government Advocate

For R6 & R7 : Mr.P.J.Rishikesh



W.P.No.34116 of 2023

ORDER

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(Order of the Court was made by M.S.RAMESH,J.)

The petitioner has given a representation dated 28.08.2023 to the respondents herein, requesting the authorities to immediately lock and seal and demolish Hotel Yuva owned by the respondents 6 and 7 situated at Medavakkam, Tambaram Taluk, Chengalpattu District, for violating the planning permit and the conditions for building permissions. Since the said representation has not been considered till date, the present Writ Petition has been filed.

2. Heard the learned counsel for the petitioner and the learned counsels appearing on behalf of all the respondents.

3. It is needless to point out that whenever a representation of this nature is made to an Authority, there is a duty cast upon them to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its



W.P.No.34116 of 2023

extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

4. In view of the above observation, this Court, without going into the merits of the petitioner's representation or the contentions of the petitioner in the affidavit filed in support of this Writ Petition, directs the respondents 2 to 5 to consider the representation of the petitioner dated 28.08.2023, if not already disposed of, and pass appropriate orders on merits and in accordance with law, after giving due opportunity to the petitioner as well as the other interested parties, within a period of three months from the date of receipt of a copy of this order and communicate the same to the petitioner.

5. With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[M.S.R.,J] [R.S.V.,J]
09.10.2025

Index: Yes/No
Neutral Citation: Yes/No
Speaking order/Non-Speaking Order
hvk



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W.P.No.34116 of 2023

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W.P.No.34116 of 2023

M.S.RAMESH, J.
and
R.SAKTHIVEL, J.

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W.P.No.34116 of 2023

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