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W.P.No.36828 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.09.2025

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.36828 of 2025

M/S.KVPS PROPERTY DEVELOPERS PRIVATE LIMITED,
REPRESENTED BY ITS MANAGING DIRECTOR,
MR.S.RAMESH ... Petitioner

Vs.

- 1 THE UNION OF INDIA
REP. BY ITS HOME SECRETARY,
MINISTRY OF HOME AFFAIRS,
NORTH BLOCK,
NEW DELHI – 110 001.
- 2 THE SECRETARY
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE,
INDIRA PARYAVARAN BHAWAN,
JORBAGH ROAD,
NEW DELHI – 110 003.
- 3 THE MEMBER SECRETARY (INFRA – 2),
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE,
INDIRA PARYAVARAN BHAWAN,
JORBAGH ROAD,
NEW DELHI – 110 003.
- 4 THE SECRETARY, POLICY AND LAW – INFRASTRUCTURE,
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE,
INDIRA PARYAVARAN BHAWAN,
JORBAGH ROAD,
NEW DELHI – 110 003.



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5 STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
NO.327, METROS, 9TH FLOOR,
ANNA SALAI, NANDANAM,
CHENNAI – 600 035.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 19.08.2025 on merits, by issuing a necessary clarification or other order within a time frame to be fixed by this Hon'ble Court.

For Petitioner : Mr.Arjun Suresh
For Respondents : Mr.B.Rabu Manohar for R1 to R4
Senior Standing Counsel
Mr.V.Chandrasekaran for R5

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents to consider the petitioner's representation dated 19.08.2025 on merits, by issuing a necessary clarification or other order within a time frame to be fixed by this Court.

2.The learned counsel appearing for the petitioner submitted



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that the petitioner is a private limited company engaged in property development and construction of commercial complexes, multiplexes and malls and is presently developing a multi-storeyed commercial project situated at S.Nos.44/2, 44/3, 45/1 and 46/2, Kakapallam Village, Ambattur Taluk, Thiruvallur District, Tamil Nadu. The petitioner applied for and was granted Environmental Clearance by the fifth respondent vide letter dated 22.06.2022. The learned counsel further submitted that the petitioner came to know that MoEF Notification dated 05.05.2022 clarifies that amendment of EC is not required when there is no increase in built up area, however, since the petitioner's revised plan involves a reduction in parameters and does not exceed the EC approved height, the petitioner made representation seeking clarification with regard to the applicability of MoEF Notification and as to whether a fresh EC or amendment was required, however, there is no response.

3.The learned counsel appearing for the petitioner further submitted that this Court may issue direction to the third respondent to consider the petitioner's representation dated 19.08.2025 and to pass appropriate orders, within a reasonable time frame.



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4.Considering the limited relief sought for in this writ petition, this Court, without expressing any opinion on the merits of the case, directs the third respondent to consider the petitioner's representation dated 19.08.2025, on merits and in accordance with law and to pass appropriate orders, within a period of three weeks from the date of receipt of a copy of this order.

5.The writ petition is disposed of. No costs.

24.09.2025

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Index: Yes/ No

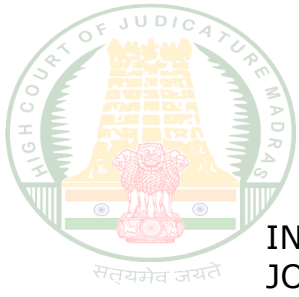
Speaking Order: Yes/ No

NCC: Yes/ No

To

- 1 THE UNION OF INDIA
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- 4 THE SECRETARY, POLICY AND LAW – INFRASTRUCTURE,
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE,
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