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W.P.No.37708 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.11.2025

CORAM :

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

W.P.No.37708 of 2025

PBEL City Chennai Apartment Owners Association  
(PCCAOA), Phase – I, PBEL City,  
1/212, Thaiyur B Village,  
Old Mamallapuram Road,  
Kelambakkam PIN 603 103.  
Rep. By Secretary, Jebahar Deva Dhason

.. Petitioner

VS

1.The District Collector,  
Chengalpattu District,  
At:- District Collector Office,  
Grand Southern Trunk Road,  
Chengalpattu, Venbakkam,  
Pin – 603 111.

2.The Block Development Officer,  
Thiruporur Taluk,  
P 59, Thandalam, Thiruporur,  
Pin – 603 110.

3.The President,  
Thaiyur Panchayat Union,  
Thavesh Avenue,  
Pudupakkam, Pin – 603 103.

4.The Divisional Engineer,  
Construction and Maintenance,  
State Highways Department,  
Chengalpattu Division.  
(R4 suo motu impleaded  
vide order dated 15.10.2025 by VLNJ)

.. Respondents



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Prayer : Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents to consider petitioner representation dated 1.09.2025 and to initiate urgent measures in provide us with proper storm water drainage connecting to the public drainage infrastructure and safeguard our community premises from further floods.

For Petitioner : Mr.R.Abdul Mubeen  
for Mr.J.Brezhnev

For Respondents : Mr.L.S.M.Hasan Fizal  
AGP for R1 & R4  
Mr.C.Selvaraj,  
AGP for R2  
Mr.B.Sudharshanam for R3

### ORDER

The writ petitioner preferred this writ petition seeking for a direction to provide proper storm water drainage connection for the apartment complex under the name and style 'PBEL City Chennai Apartment'. The storm water drainage connection they sought for, was to the public drainage infrastructure currently existing in the Old Mahabalipuram Road.

2. The writ petition suffered several adjournments to enable the respondents to get instructions. On the representation



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of Mr.Hasan Fizal, that the authority who has to make appropriate arrangements for storm water drain is the fourth respondent, a direction was given to the fourth respondent to inspect the property concerned and to state as to how long the said authority will take for providing a proper infrastructure for drainage of the storm water collected in the writ petitioner's premises.

3. When the matter was called today, a report of the Divisional Engineer (H) Construction and Maintenance, Chengalpattu dated 31.10.2025 was produced by Mr.Hasan Fizal. The report states that a joint inspection was conducted by the fourth respondent together with the Block Development Officer of Tiruporur, the President of the Thaiyur Panchayat, a representative of the writ petitioner, as well as the original developer / PBEL. The inspection took place at around 12 noon on 31.10.2025. The scanned inspection report is extracted hereunder:-



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**HIGHWAYS DEPARTMENT**

**From**

**B.Dhanaseelan, M.E.,**  
Divisional Engineer (H),  
Construction and Maintenance,  
Chengalpattu.

**To**

The Special Government Pleader,  
High Court of Madras,  
Chennai - 600104.

**Letter No: 1412/2025/A/Dt: 31.10.2025**

**Sir,**

**Sub:** Chengalpattu (H) C&M, Division - Submission of Joint Inspection Report regarding storm water drainage issue - PBEL City Chennai Apartment Owners Association, Kelambakkam - Reg.

**Ref:** 1. W.P. No. 37708 of 2025 Filled in the Honorable High Court of Madras by PBEL City Chennai Apartment Owners Association (PCCAOAJ, Phase-I, PBEL City, 1/212, Thaiyur B Village, Old Mamallapuram Road, Kelambakkam, PIN-603 103

2. Directions issued for joint inspection of the premises by the competent authorities.

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With reference to the above subject, W.P. No. 37708 of 2025 has been filed before the Hon'ble High Court of Madras by PBEL City Chennai Apartment Owners Association (PCCAOAJ, Phase-I, PBEL City, 1/212, Thaiyur B Village, Old Mamallapuram Road, Kelambakkam, seeking to issue a Writ of Mandamus or any other order in the nature of a writ, directing the respondents to consider the representation dated 01.09.2025 and to initiate urgent measures to provide proper storm water drainage connectivity to the public drainage infrastructure and to safeguard the community premises from further flooding.

In this connection, a joint inspection was conducted by BDO, Thiruporur, Highways Department, President Thaiyur, Association Secretary, PBEL, Builder PBEL at PBEL City, Thaiyur at 31.10.2025 around 12.00 pm to assess the adequacy of the existing storm water drainage infrastructure and to explore the feasibility of connecting it to the nearby public drainage network.



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**During the inspection, the following key findings were recorded:**

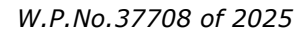
1. The internal storm water drainage system within the PBEL City premises is found to be inadequate and insufficient to dispose of accumulated rainwater during monsoon seasons.
2. The Project Developer (Builder) has accepted the observations and agreed to undertake a detailed hydrological survey and to upgrade the capacity of the internal drain network to handle higher volumes of runoff.
3. The location coordinates 12°46'22"N, 80°13'04"E have been finalized as the suitable point for connecting the internal drain to the nearest local body public earthen drain located along the Panchayat Road, which further leads to a canal for safe disposal of storm water.
4. Also, this petition does not pertain to the Highways Department. Since, the OMR is 1.9m higher than the finalized disposal point.

In view of the above, it is recommended that the Hon'ble Court may kindly be informed that appropriate remedial measures are already under consideration. The concerned developer have been instructed to expedite the hydrological study and initiate necessary works to ensure proper drainage connectivity and to prevent further flooding incidents in the community area. This report is hereby submitted for information and for placing before the Hon'ble High Court.

**Encl : Photos (Joint Inspection)**

*W - 31/10/25*  
Divisional Engineer (H),  
Construction & Maintenance,  
Chengalpattu.





Jebahore Dewa Dharan D.R.



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4. In terms of this report, it has been found that the internal storm water drainage system of PBEL City premises is inadequate and insufficient to dispose of the accumulated water. It also records that the builder / PBEL has agreed to undertake a hydrological survey and to upgrade the internal drain network to handle higher volumes of the run off. The fourth respondent has identified the co-ordinates of a particular point for connecting the internal drain with the nearest public earthen drain belonging to the local body. He has also expressed the technological inability to connect the storm water drain of the writ petitioner's premises, with the drainage maintained along OMR, as the OMR is 1.91 meters higher than the finalised disposal point.

5. When this aspect was pointed out to Mr.Mubeen, he states that the statement of the builder, that he will undertake to improve the internal storm water drains system, may be recorded, and in case, it is not so executed, he states that the petitioner association will do the needful. Once the internal storm water drainage is strengthened to handle higher volumes, respondent Nos. 2 and 3 shall ensure the connection at the point identified by the fourth respondent.



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6. Recording the same, the writ petition stands disposed of. No costs.

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Index:Yes/No

Neutral Citation:Yes/No

ssm

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V. LAKSHMINARAYANAN, J.,

ssm

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