



W.P.No.8603 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 25.07.2025

C O R A M

THE HONOURABLE MRS.JUSTICE J.NISHA BANU
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

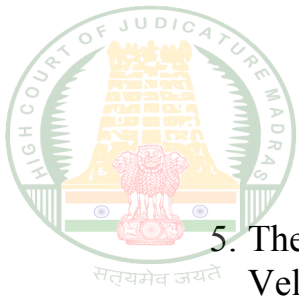
W.P.No.8603 of 2025 and
W.M.P.No.28546 of 2025

Eby Thomas

... Petitioner

-VS-

1. The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu-Natarajan Maaligai,
No.1, Gandhi Irwin Road,
Egmore, Chennai-600 008.
2. Parvathi Street Bay View Flat Owner's Welfare Association,
(Having Reg.No.SRG/Chennai South/489/2019),
Rep. by its Secretary, Parvathi Street,
Kalakshetra Colony, Besant Nagar,
Chennai-600 090/
3. KGEYES Eternity Flat Owner's Welfare Association,
Rep. by its Secretary,
No.21, Parvathi Street, Kalashetra Colony,
Besant Nagar, Chennai-600 090.
4. The District Collector,
Office of The District Collector,
Singaravelar Maaligai,
No.62, Rajaji Salai, Chennai.600 001.



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5. The Tahsildar,
Velacherry Taluk,
Velacherry, Chennai-600 113.

... Respondents

(R4 & R5 impleaded as per order of this Court dated 30.04.2025)

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to consider and dispose the petitioner's representation dated 04.11.2024.

For Petitioner : Mr.T.Arul Selvan

For R1 : Mr.Akhil Akbar Ali

For R2 : Mr.S.Prajesh Kumar

For R3 : Mrs.Rohini Ravikumar

For R4 & R5 : Mr.M.Venkateswaran,
Spl. Govt. Pleader

ORDER

(By J.Nisha Banu,J.)

This Writ Petition has been filed for a direction to the 1st respondent to consider and dispose the petitioner's representation dated 04.11.2024.

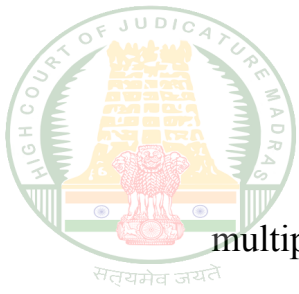
2. The petitioner has submitted a representation dated 04.11.2024 to the 1st respondent not to give re-approval to the Planning Permission and Planning Permit dated 27.10.1987 in respect of the property



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standing in the name of BAY VIEW apartments in S.No.172/4. The petitioner further requested the 1st respondent to cancel the Planning Permission dated 20.01.2011 granted in respect of S.Nos.172/3 and 172/4 Part, T.S.No.3 & 4, Block No.57 in Thiruvanmiyur Village, Velacherry Taluk, Chennai District and demolish the construction of multi-storied building in the name of KGEYES Eternity so as to restore the site to its original condition.

3. The prayer sought for by the petitioner has been innocuously drafted as if it is a case of mere disposal of the representation dated 04.11.2024 with regard to the cancellation of the planning permission as well as demolition of the multi-storied building, but seen in depth, it could be noticed that an attempt was made by the petitioner to insist the 1st respondent / CMDA to take against the respondents 2 and 3, who are admittedly private respondents, by invoking writ jurisdiction, which is not permissible in law. If the prayer of the petitioner is entertained and a blanket direction is issued to consider and dispose of the representation, it will have a serious repercussion in the society and would pave way to



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multiplicity of litigations. The intention of the petitioner is to convert a private interest litigation into the one of public interest litigation. Moreover, the petitioner seeks to cancel the planning permission, which was given as early as in 2011, with a request not to give re-approval of the Planning Permission of the year 1987, which is highly ridiculous. In the garb of disposal of representation, no blanket direction can be issued.

4. In the result, finding no merit in the submission made by the learned counsel for the petitioner, the Writ Petition is dismissed as devoid of merits. No costs. Consequently, connected Miscellaneous Petition is closed.

(J.N.B.J.,) (M.J.R,J.,)
25.07.2025

Index: Yes / No
Internet: Yes / No
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