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W.P.No. 21362 of 2015 etc batch

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2026

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH
and
THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER
KUMAR

W.P.Nos. 21362, 21460, 20800, 21363 & 21461 of 2015

W.P.No. 21362 of 2015

M/s. Sterling Estates and Properties Ltd.,
Rep. By its Managing Director,
Sterling Point, #124, GN Chetty Road, T.Nagar,
Chennai – 600 017.

.. Petitioner

VS

- 1.The Government of Tamil Nadu
Rep. By Principal Secretary to Government,
Municipal Administration and Water Supply (MA1) Department,
Secretariat, Chennai – 600 009.
- 2.The Director of Municipal Administration,
Chennai – 600 005.
- 3.The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Building,
Chennai – 600 008.
- 4.The Commissioner,
Thiruverkadu Municipality
Thiruverkadu, Thiruvalluvar District.
- 5.V.Devarajan



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6.Parvathy Devarajan
7.Kamala Rajaraman
8.V.Sivakami Vasudevan
9.J.Hemamalini Jayaraman

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India
praying to issue a writ of certiorari calling for the records of the fourth
respondent with respect to the proceedings under ROC No. 623/2014/F1
dated 16.06.2015, quash the same.

W.P.Nos. 21460 & 21461 of 2015

B.T.Saravanan

.. Petitioner

VS

- 1.The Government of Tamil Nadu
Rep. By Principal Secretary to Government,
Municipal Administration and Water Supply (MA1) Department,
Secretariat, Chennai – 600 009.
- 2.The Director of Municipal Administration,
Chennai – 600 005.
- 3.The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Building,
Chennai – 600 008.
- 4.The Commissioner,
Thiruverkadu Municipality
Thiruverkadu, Thiruvalluvar District.
- 5.V.Devarajan
6.Parvathy Devarajan
7.Kamala Rajaraman



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8.V.Sivakami Vasudevan
9.J.Hemamalini Jayaraman

10.M/s. Sterling Estates and Properties Ltd.,
Rep. By its Managing Director, K.L.Rama Rao
Sterling Point, #124, GN Chetty Road, T.Nagar,
Chennai – 600 017

.. Respondents

Prayer in WP 21460/2015 : Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of certiorari calling for the records of the fourth respondent with respect to the proceedings under ROC No. 623/2014/F1 dated 16.06.2015, quash the same.

Prayer in WP 21461/2015 : Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of certiorari calling for the records of the first respondent under letter (D) No. 310/MA-1/2015 dated 14.05.2015, quash the same.

W.P.No. 20800 of 2015

1.T.Ganesh Kumar
2.M.Santhosh
3.Dr.S.Sujatha
4.Ramanatha Krishnamurthy
5.K.N.Ravikumar
6.J.Sekar
7.Aarthi
8.Dr.R.Santhana Raman
9.Dr.P.Deepa Jothi
10.R.Mirajan
11.Dr.K.Vasanth Kumar
12.R.Ganesan
13.D.Sri Venkatesh



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14.B.Prasanna Ramanujam

Petitioners 1 to 13 are represented by
their power of Attorney holder

Mr.B.Prasana Ramanujam son of Banu Gopan
residing at E Pava Block, Sterling Pradhan,
Melayanampakkam, Chennai - 95.

.. Petitioners

VS

1.The Government of Tamil Nadu

Rep. By Principal Secretary to Government,
Municipal Administration and Water Supply (MA1) Department,
Secretariat, Chennai – 600 009.

2.The Director of Municipal Administration,
Chennai – 600 005.

3.The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Building,
Chennai – 600 008.

4.The Commissioner,
Thiruverkadu Municipality
Thiruverkadu, Thiruvalluvar District.

5.M/s. Sterling Estates and Properties Ltd.,
Rep. By its Director, Mrs. Prilyadarshini Saravanan
Sterling Point, #124, GN Chetty Road, T.Nagar,
Chennai – 600 017

6.Parvathy Devarajan

7.Kamala Rajaraman

8.V.Sivakami

9.J.Hemamalini

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India

praying to issue a writ of certiorarified mandamus to call for the records



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on the file of the 1st and 4th respondents culminated in Ref.No. Letter D.No. 310/MA-1/2015 dated 14.05.2015 passed by the 1st respondent and the consequential order passed by the 4th respondent in Ref. Roc.No. 623/2014/FA dated 16.6.2015 and quash the same and consequently restrain the respondents from interfering with the peaceful possession and enjoyment of the property and building situated in Survey No.115/1, 115/1A, 1172, Melayanampakkam Road, No.64, Ayanampakkam Village, Ambattur Taluk, Thiruvallur District.

W.P.No. 21363 of 2015

M/s. Sterling Estates and Properties Ltd.,
Rep. By its Managing Director, Mr.K.L.V.Rama Rao
Sterling Point, #124, GN Chetty Road, T.Nagar,
Chennai – 600 017.

.. Petitioner

VS

- 1.The Government of Tamil Nadu
Rep. By Principal Secretary to Government,
Municipal Administration and Water Supply (MA1) Department,
Government of Tamil Nadu,
Secretariat, Chennai – 600 009.
- 2.The Director of Municipal Administration,
Chennai – 600 005.
- 3.The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Building,
Chennai – 600 008.



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4.The Commissioner,
Thiruverkadu Municipality
Thiruverkadu, Thiruvalluvar District.

5.V.Devarajan
6.Parvathy Devarajan
7.Kamala Rajaraman
8.V.Sivakami Vasudevan
9.J.Hemamalini Jayaraman

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to
issue a writ of certiorari calling for the records of the first respondent under letter (D)

No. 310/MA-1/2015 dated 14.05.2015, quash the same.

Writ Number	Petition For Petitioners	For Respondents
21362 of 2015 and 21363 of 2015	Mr.Prasanna Venkat for M/s APR Associates	Ms.Indhu Bala, AGP for R1, R2 Mr.P.Kumaresan, AAG assisted by Ms.S.Mridula Royar for CMDA (R3) Mr.P.Srinivas for R4 No appearance for R5,R6 Mr.T.V.Krishnakumar for R7 to R9
21460 of 2015 and 21461 of 2015	No appearance	Ms.Indhu Bala, AGP for R1, R2 Mr.P.Kumaresan, AAG assisted by Ms.S.Mridula Royar



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		for CMDA (R3) Mr.P.Srinivas for R4 No appearance for R5,R6 Mr.T.V.Krishnakumar for R7 to R9 Mr.Prasanna Venkat for M/s. APR Associates for R10
20800 of 2015	Mrs.A.L.Ganthimathi Senior Counsel for Mr.L.Palani Muthu	Ms.Indhu Bala, AGP for R1, R2 Mr.P.Kumaresan, AAG assisted by Ms.S.Mridula Royar for CMDA (R3) Mr.P.Srinivas for R4 Mr.Prasanna Venkat for M/s. APR Associates for R5 No appearance for R6 Mr.T.V.Krishna Kumar for R7 to R9



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COMMON ORDER
(Made by Dr. ANITA SUMANTH, J.)

Mr.Prasanna Venkat, appearing for the promoter/petitioner in W.P.Nos. 21362 & 21363 of 2015, reports no instructions.

2. That apart, a reading of the impugned order dated 16.06.2015 under which the sub-division of various properties as well as grant of building plans stands cancelled, proceeds on the basis that the orders of sub-division and building plans had been obtained in suppression of various government proceedings and in connivance with the officers of the Town Planning Section.

3. The Commissioner, in the impugned order points out that since proposed development was on land exceeding 1000 sq m, power to grant approval for sub-division does not vest with the local authority but only in the planning authority i.e., CMDA. Hence, order of sub-division had been rightly cancelled and we see no justification in intervening in the same. Impugned orders dated 16.06.2015 are confirmed.

4. Equally importantly, we had sought the status of the disciplinary proceedings initiated qua the officers of the Town Planning Section, who have found to have connived with the petitioner in issuing the illegal orders. Mr.Srinivas filed a memo dated 16.02.2026, reading as follows:-



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“1. The Writ petition Numbers 20800, 21362, 21363, 21460 & 21461 of 2015 had been filed challenging the cancellation of the approvals of the year 2010.

2. The departmental action against the concerned Town Planning Inspectors had been initiated by issue of Charge memos and after enquiries, the punishment of Stoppage of increments had been imposed withholding their increments for a period of one year without cumulative effect.

3. Petitions to review the said punishments are pending before the Revisional Authority.”

5. On 30.01.2017, the First Bench of this Court has passed the

following order:-

“The initial planning permissions, which were granted by the Chennai Metropolitan Development Authority are confined only to a specific area preceded by sub-division. But it appears that subsequently, sub-division was permitted by the Tiruverkadu Municipality. On the basis of the same, construction had been made and third parties’ interest created. Subsequently, the CMDA sought to take a stand that there was no authority vested in the Municipality to grant permission for sub-division.

2. We are of the prima facie view that this complexity is by reason of the action of the Government authorities themselves and some endeavour must be made to resolve the issue. The respondent authorities may look into the issue whether and how in such a situation can it be regularised and subject to what terms and conditions.

3. We are informed that Tiruverkadu Municipality has taken action against some officers. But after more than 1 ½ years, the



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enquiry proceedings are pending. We would like to know the result of the enquiry by the next date.

4. List on 07.03.2017 in the same category.”

6. On the question of regularization, Mr.Kumaresan, learned Additional Advocate General, confirms that the question of regularization would not arise since the impugned order has been rightly passed, to undo illegal actions committed by the petitioner and the authorities in obtaining planning permits and in sub-dividing land by the town planning authority, when power vests only with CMDA. We record the same.

7. There is no appearance for petitioners in W.P.No. 21460 & 21461 of 2015. Mrs.Gandhimathi, learned Senior Counsel, who appears for Mr.L.Palani Muthu in W.P.No. 20880 of 2015, representing fourteen (14) flat owners, would argue that they had exercised due diligence in purchasing the flats and hence, the impugned order which has been passed without any notice to them would impact them adversely and cause great hardship.

8. Considering their submissions, we grant them liberty to approach the concerned authority by way of representations seeking necessary relief.

9. Representations, if any, filed within four (4) weeks from date of receipt of the order shall be considered by the authority and appropriate



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orders passed within a period of twelve (12) weeks thereafter, after affording opportunity of hearing and in accordance with extant rules and regulations. The liberty granted to petitioners in W.P.No. 20800 of 2015 is applicable to the petitioner in W.P.No.21460 & 21461 of 2015 as well.

10. These writ petitions stand dismissed with liberty in terms of this order. No costs.

[A.S.M, J.] [M.S.K, J.]
16.02.2026

Index:Yes/No
Neutral Citation:Yes
ssm

To

- 1.The Principal Secretary to Government,
Municipal Administration and Water Supply (MA1) Department,
Secretariat, Chennai – 600 009.
- 2.The Director of Municipal Administration,
Chennai – 600 005.
- 3.The Member Secretary,
Chennai Metropolitan Development Authority,
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- 4.The Commissioner,
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Thiruverkadu, Thiruvalluvar District.



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DR. ANITA SUMANTH,J.
and
MUMMINENI SUDHEER KUMAR,J.

ssm

W.P.Nos. 21362, 21460, 20800, 21363 & 21461 of 2015

16.02.2026