



WEB COPY

WP No. 8613 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-03-2026

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THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

WP No. 8613 of 2026

1. C.Dinesh
S/o. S.Chandrasekar, No. 9 Jagannathan
Road, 2B Second Floor,
Nungambakkam, Chennai 34

Petitioner(s)

Vs

1. The Principal Secretary /
Member - Secretary, Chennai
Metropolitan Development Authority,
Represented by its Chairman, No. 1,
Gandhi Irwin Road, Egmore, Chennai
600 008

2.The Chief Executive Officer
Chennai Metropolitan Development
Authority, Represented by its
Chairman, No. 1, Gandhi Irwin Road,
Egmore, Chennai 600 008

3.The Commissioner,
Corporation of Greater Chennai,
Rippon Buildings, Chennai - 600 003

4.Krishna Builders,
Represented by its Manager, Dileep
Bhandari, No. 34, Nungambakkam
Main Rd, Chennai - 600 034

5.Krishna Nivas Flat Owners Welfare
association
Rep. by its president, Krishna Nivas
Apartments, No. 22/27 Vaithyarama
Iyer Street, T.Nagar Chennai 17



Respondent(s)

WP No. 8613 of 2026**PRAYER**

Calling for the records pertaining to the order passed by the 1st respondent in Letter No. C3(S) 4304/ 2025 dated 14.10.2025 and quash the same as illegal and consequently direct the 1st respondent to take appropriate action against the building namely Krishna Nivas Apartments situated at Plot No. 70, No. 27, Vaidyarama Iyer Street, T.Nagar, Chennai 17 comprised in Block No. 13, S.No. 128/1 for obtaining plan approval bearing No . Lr. No. C/ 1763/ 89 dated 11.08.1989 through wrong information and misrepresentation

WP No. 8613 of 2026

For Petitioner(s): Mr.M.Jaikumar

For Respondent(s): Mr.B. Sanjay Balachandar For
R1 and R2

Mr.A.Arun Babu,SC For R3

Mr.Kuberan For R4 and R5

ORDER

This writ petition has been filed, challenging the impugned order dated 14.10.2025 passed by the first respondent, rejecting the petitioner's request to take appropriate action for the planning sanction violations committed by respondents 4 and 5 in the construction of Krishna Nivas Apartments, situated at the property morefully described in the prayer to this writ petition.

2. According to the petitioner, the building plan sanction was obtained for the aforesaid building by misrepresentation on 11.08.1989. The petitioner claims to be the previous landowner of the said property. Admittedly, subsequent to the planning sanction granted to the fourth respondent, the



building has got completed by the constructions of flats. Admittedly, several persons had also purchased the said flats from the fourth respondent. Thereafter, some of them had also resold the flats to various third parties. Admittedly, the building plan sanction was obtained by the fourth respondent on 11.08.1989 for construction of the flats.

3. The question of interfering with the impugned proceedings dated 14.10.2025 passed by the first respondent, refusing to entertain the petitioner's request for taking action against the respondents 4 and 5, does not arise in view of the inordinate delay in approaching this Court by the petitioner in respect of the building sanction granted to the fourth respondent in the year 1989 itself.

4. Under the impugned proceedings dated 14.10.2025, the first respondent rejected the petitioner's request on the ground that a civil suit is pending. Eventhough the learned counsel for the petitioner would submit that the said civil suit is only a bare injunction suit, and therefore the reason given by the first respondent for refusing to entertain the petitioner's request is arbitrary and illegal, this Court even without going into that aspect, is of the considered view that even assuming the reasons given by the first respondent may not be correct, this Court has to necessarily reject this writ petition since the petitioner has approached this Court under Article 226 of the Constitution of India with an inordinate delay, that is, after a lapse of more than 38 years from the date when the fourth respondent obtained the building sanction for the construction of the



flats.

5. By now, the purchasers of the flats from the fourth respondent would have also sold their flats to various third parties and if the request of the petitioner is entertained at this belated stage, third-party interest will be affected and this Court while dealing with the writ petition under Article 226 of the Constitution of India, cannot entertain the same. If at all, if the petitioner has got any remedy with regard to the grievance raised in this writ petition, he will have to only approach the competent civil court, and not file a writ petition under Article 226 of the Constitution of India.

6. For the foregoing reasons, this Court does not find any merit in this writ petition. Accordingly, this writ petition is dismissed. No costs.

09-03-2026

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
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ABDUL QUDDHOSE J.

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WP No. 8613 of 2026

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