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WP No. 13929 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-04-2026

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THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 13929 of 2026

AND

WMP NO. 15168 OF 2026

B.Vijayalakshmi
W/o.G.Bhadrinarayanan
No.362, 11th East Cross Street
MKB Nagar, Vyasarpadi
Chennai 600039.

..Petitioner(s)

Vs

1. The Secretary to Government
Housing and Urban Development Department
Secretariat, Fort St. George, Chennai 600009.
2. The Managing Director
The Tamil Nadu Housing Board (TNHB)
Pocket 6, Board Office Cum Commercial
Complex,
CIT Nagar 1st Main Road, Chennai 600035.
3. The Executive Engineer
TNHB Anna Nagar Division
TNHB Office Cum Shopping Complex
Chennai 600101.
4. E.D.Thamarai Selvan
Residing at.
No.M13/23 Central Avenue, M.K.B.Nagar
Vysarpadi, Chennai 600039.
Carrying on Business at.
Flat No.3C, 1st Floor, Central Avenue
M.K.B.Nagar
Vysarpadi, Chennai 600039.
5. S.Ravathi Mini Priya
Residing at.
No.M13/23 Central Avenue, M.K.B.Nagar



Vysarpadi, Chennai 600039.
Carrying on Business at.
Flat No.3C, 1st Floor, Central Avenue
M.K.B.Nagar
Vysarpadi, Chennai 600039.

..Respondent(s)

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of writ of Mandamus directing the respondents 1 to 3 to take appropriate enforcement action to prevent conversion of the residential Flat No. 3B, ground floor, MIG Flats in Block No.3, Central Avenue, Vyasarpadi, Chennai 600039 into a commercial one, in deviation from the approved planning permission and covenants imposed by the Tamil Nadu Housing Board, by considering the petitioners representation dated 28.03.2026.

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For Petitioner(s): Mr.B.Vijay

For Respondent(s): Mr.D.Veerasekaran for R2 to R3
Mr.M.Rajendiran, Additional Government
Pleader for R1

Order

This Writ Petition has been filed directing the respondents 1 to 3 to take appropriate enforcement action to prevent conversion of the residential unit into a commercial one, in deviation from the approved planning permission and covenants imposed by the Tamil Nadu Housing Board, by considering the petitioners representation dated 28.03.2026.



2. Case of the petitioner is that the Tamil Nadu Housing Board constructed apartments under the name and style of MIG apartments consisting of Ground plus First Floor with four flats in Central Avenue, Vyasarpadi, Chennai 600 039, in land admeasuring an extent of 6687 sq.ft in the year 1990. The petitioner had purchased flat bearing no.3C in the first floor from one Mrs.V.Kousalya Bai and is in peaceful possession and enjoyment of the same. While that being so, the owners of the ground floor flat bearing No.3B, viz, the respondents 4 and 5, are attempting to convert the residential premises into a commercial establishment. Hence, the petitioner made representation to the respondents 1 to 3 calling upon them to take immediate and appropriate action against the flat owners from any manner converting the flat no.3B from residential to commercial use and to restrain them from leasing out the residential flat to any third parties for a commercial purpose in deviation of approved planning permission and covenants imposed by the TNHB. Since the said representation has not been considered, the petitioner is before this Court.

3. The learned counsel appearing for the petitioner would submit that it would suffice, if the first respondent is directed to dispose of the representation of the petitioner dated 28.03.2026 on merits and in accordance with law, within a specified period.



4. The learned counsel appearing for the respondents has no objection for such an order being passed by this Court.

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5. Heard the learned counsel appearing for the petitioner and learned counsel appearing for the respondents 1 to 3. Since no adverse orders are passed against the respondents 4 and 5, notice to them is not necessary.

6. In view of the limited request made by the learned counsel appearing for the petitioner, this Court, without going into the merits of the case, directs the first respondent to consider the representation of the petitioner dated 28.03.2026, after affording opportunity of personal hearing to her and pass appropriate orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs. Consequently connected miscellaneous petition is closed.

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To

1. The Secretary to Government
Housing and Urban Development Department
Secretariat, Fort St. George, Chennai 600009.
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The Tamil Nadu Housing Board (TNHB)
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M.DHANDAPANI J.

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