



W.P. No.21020 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:03.06.2026

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CORAM:

THE HON'BLE MR. JUSTICE M. DHANDAPANI

W.P. No.21020 of 2021

and

W.M.P. Nos.22273 and 22274 of 2021

M/s.Jain Housing and Constructions Ltd.,
Rep. by its Authorized Signatory,
Mr. Chenaram Seni,

..Petitioner(s)

Vs

1. The State of Tamil Nadu
Rep. by its Secretary to Government,
Housing Board and Urban Development
Department,
Secretariat, Chennai 600 009.
2. Chennai Metropolitan Development Authority
Rep. by its Member Secretary, No.1, Gandhi
Irvin Road, Egmore, Chennai
3. The Commissioner
Greater Chennai Corporation, Rippon Building,
Chennai 600 003.

..Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Certiorarified Mandamus to quash the order of 2nd respondent made in Letter No. C3 (S)/ 18639/ 2019 dated Nil. 07. 2021 and direct the 2nd respondent Authority to process the Planning Permission Application of the Petitioner for the proposed building in S.No. 51/ 1B1A1A1 and 51/18 of Seeveram Village, Solingnallur Taluk, Kanchipuram District.



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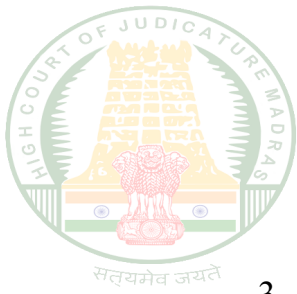
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For Petitioner : Mr.S. KamaleshKannan
For Respondents : Mr.C. Prabakaran
Government Counsel for R1

ORDER

This writ petition has been filed to quash the order of the 2nd respondent made in Letter No. C3 (S)/18639/2019 dated Nil. 07. 2021 and to direct the 2nd respondent Authority to process the Planning Permission Application of the Petitioner for the proposed building in S.No. 51/ 1B1A1A1 and 51/18 of Seeveram Village, Solingnallur Taluk, Kanchipuram District.

2. It is the case of the petitioner that the petitioner Company is engaged in the work of building constructions, lands and layout promotions, etc. In that regard, the petitioner had applied for grant of planning permission before the 2nd respondent. Pursuant to which, the 2nd respondent directed the petitioner vide letter dated 05.05.2021 to remit respective charges in order to process the application. It is the grievance of the petitioner that due to Covid lock-down restrictions, the petitioner was unable to mobilize funds and thereby the sum imposed was not paid as well as sought for waiver of interest. However, the aforesaid claim of the petitioner was not accepted by the 2nd respondent vide letter dated 07.2021, which is impugned herein. Challenging the said communication of the 2nd respondent, this writ petition has been filed.



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3. Learned counsel for the petitioner submitted that the issue pertains to imposition of interest for the belated payment of Developmental Charges and other charges. Drawing the attention of this Court to the earlier directions issued on 07.10.2021, he submitted that the planning permission was granted by the 2nd respondent and the petitioner proceeded with further construction.

4. Learned counsel further submitted that as per the earlier directions, the 2nd respondent has filed a calculation Memo and an amount of Rs.7,92,378/- was determined as interest payable by the petitioner. He also submitted that the calculation furnished by the 2nd respondent is not accurate. The same has to be calculated for every completion of 30 days, whereas the same has been calculated for a period of 86 days and therefore the calculation requires reconsideration. He further submitted that pursuant to directions issued by this Court, the petitioner has already deposited a sum of Rs.2,50,000/- before the 2nd respondent. In the light of the above, he prayed for issuance of suitable directions.

5. In response, learned Government Counsel appearing for the 1st respondent submitted that the calculation has been made in accordance with the



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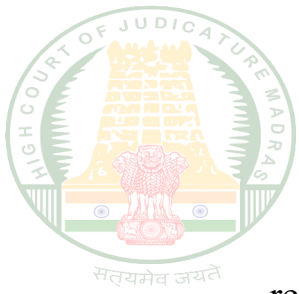
applicable provisions and that the petitioner is liable to pay the charges determined by the 2nd respondent. On the aforesaid score, he prayed for dismissal of this writ petition.

6. Considering the rival submissions, this Court is of the view that the grievance of the petitioner relates only to the manner of calculation of the charges. Therefore, without expressing any opinion on the merits of the case, this Court issues the following directions :-

i) The petitioner shall pay a sum of Rs.7,92,378/- (Rupees Seven Lakhs Ninety Two Thousand Three Hundred and Seventy Eight only), as determined by the 2nd respondent, after adjusting the earlier payments.

ii) The aforesaid amount shall be payable by the petitioner before the 2nd respondent, within a period of two weeks from the date of receipt of a copy of this order.

iii) Further, the petitioner is directed to submit a detailed representation/objection pointing out the errors in the alleged calculation, within a period of one week from the date of receipt of a copy of this order. On receipt of such representation, the 2nd respondent shall consider the same and pass orders on merits and in accordance with law, within a period of six weeks thereafter.



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iv) Till completion of the aforesaid exercise, the

respondents are directed not to take any coercive steps with respect to the said planning permission, which was granted earlier.

7. With the above directions, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

03.06.2026

Index : Yes / No

Speaking Order / Non-speaking order

Neutral Citation Case : Yes / No

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To :

1. The State of Tamil Nadu
Rep. by its Secretary to Government,
Housing Board and Urban Development Department,
Secretariat, Chennai 600 009.

2. Chennai Metropolitan Development Authority
Rep. by its Member Secretary, No.1,
Gandhi Irvin Road, Egmore, Chennai.

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