



WP NO. 5796 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-03-2025

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THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

WP NO. 5796 of 2025

Casa Grande Bellissimo Owners / Residents Association
Rep. By Its President Having Office At Cpwd Quarters, Kannan
Colony, Alandur, Chennai-600 016.

Petitioner(s)

Vs

The Chennai Metropolitan Development Authority (cmda)
Rep. By Its Member Secretary, Thalamuthu Natarajan House,
No.01, Gandhi Irwin Rd, Ansari Estate, Egmore, Chennai-600 008
and 3 Others

Respondent(s)

For Petitioner(s):

Anish Gopi
S.Santhosh Kumar
Aksharaa G

For Respondent(s):

Mr. R. Sivakumar Sc Cmda For Rr1 & 2 [Vakalat Not Filed]
M/s. Ganesh & Ganesh, K.Jayaraman, R.Rathipriya, K.Mohan,
J.Sriram Advocates For R3 Dt. 06/03/2025
Mr.C.P. Hem Kumar For
M/s Ganesh And Ganesh For R3 26/03/2025

ORDER

(Order of the Court was made by the Hon'ble S. M. Subramaniam J.)

The Status Report filed by the CMDA reveals the following violations/deviations:

“6. vi. The existing Block-4 consisting of the Ground Floor, the entire



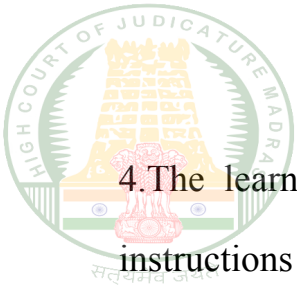
Non-FSI area on the Ground Floor has been converted in to Habitable use such as indoor games, Party Hall, and AV Room which is in contravention to the approved plan.

vii. Over Head Tank at an size of 1.50 m x 3.10 m in Bloc-1 (9 Nos.), Block-2 (4 Nos.) & Block-3 (4 Nos.) in Terrace floor has not been constructed which is contravention to the approved plan, whereas underground domestic water sump is provided as per the approved plan at below ground level. The water supply is effected through pneumatic system.

Viii. 1/3rd area of the Solar Voltaic System in all Blocks of the Terrace Floor has not been installed which is in contravention to the approved plan.”

2. It is needless to state that such deviations are to be rectified by the promoters/builders. The learned counsel for the CMDA would submit that based on the inspection, Form-4 notice for compliance of planning permission in respect of deviations/violations carried out in contravention of the planning permission under the provisions of the Town and Country Planning Act will be issued in due course. It is needless to state that on identification of such violations/deviations, the CMDA is bound to issue notice and initiate all appropriate actions.

3. Thus, the CMDA authorities are directed to issue Form-4 notice to ensure that the enforcement actions are concluded.



4.The learned counsel for the 3rd respondent would submit that he has to secure instructions with reference to the report filed by the CMDA.

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5. Post the matter for passing orders on 01.04.2025.

(S.M.SUBRAMANIAM J.) (K.RAJASEKAR J.)
26-03-2025

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To

1. The Chennai Metropolitan Development Authority (cmda)
Rep. By Its Member Secretary, Thalamuthu Natarajan House, No.01,
Gandhi Irwin Rd, Ansari Estate, Egmore, Chennai-600 008

2. Senior Planner (enforcement)
The Chennai Metropolitan Development Authority, Thalamuthu Natarajan House,
No.01, Gandhi Irwin Rd, Ansari Estate, Egmore, Chennai-600 008.

3. M/s.Casa Grande Civil Engineering Private Limtied
Rep. By Its Authorised Signatory Npl Devi, New No.111/3, Old No.593/3, L B Road,
Thiruvanmiyur, Chennai-600 041.

4. Arun Manivannan Namachivayam
Director M/s.Casa Grade Civil Engineerign Pvt. Ltd., Npl Devi, New No.111/3, Old
No.593/3, L B Road Thiruvanmiyur, Chnnai-600 041.