

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-04-2026

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THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

**WP No. 33550 of 2024
and
WMP.No. 36327 of 2024**

E.Venkatesan

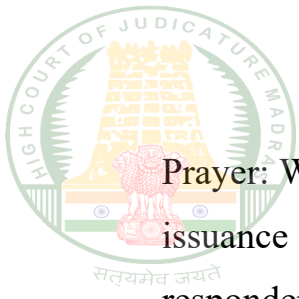
..Petitioner(s)

Vs.

1. The District Collector,
Greater City Of Chennai, Rajaji Salai,
Chennai - 600 001.
2. Special District Revenue Officer,
Velachery Taluk, Highways Department,
Chennai 600 016.
3. The Director / Chairmen,
Chennai Metropolitan Development Authority
Egmore, Chennai.
4. The Tahsildar,
Velachery Taluk, Chennai.
5. Chinna Kasaiah Padarthy,
S/o Mr.Balaiah, No 547 G. Main,
Shantiniketan, Vysya Bank Colony, Arikere,
Bhannerghatta Road, Bangalore – 76.

Also At Ganesh Apartments
Old No 37/6 (New No 105)
ECR Road, (Old Muttukadu Road)
Thiruvamiyur, Chennai 600 041.

..Respondent(s)



Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of writ of mandamus, directing the respondents 1-4 to restrain the 5th respondent from constructing, renovating, modifying, repairing, the Flat No. 6 on second floor, “Ganesh Apartments” having flat measuring about 860 sq.ft at Plot No.37, Door No.105 ECR Road (Muttukadu Road) Thiruvaniyur, Chennai 600 0041 without the consent and knowledge of other flat owners and without getting proper permission or approval from the 1 to 4th respondents and not following the existing building rules and regulations, CMDA rules and Town and Country Planning Act.

For Petitioner(s): Mr.E.Vinothkumar

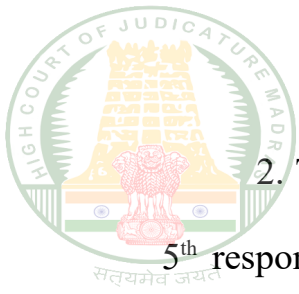
For Respondent(s): Mrs.S.Anitha
Special Government Pleader for R1, R2 & R4

Ms.K.Mageswari for R3

Mr.D.Selvam for R5

ORDER

This Writ Petition has been filed seeking seeking issuance of writ of mandamus, directing the respondents 1-4 to restrain the 5th respondent from constructing, renovating, modifying, repairing, the Flat No. 6 on second floor, “Ganesh Apartments” having flat measuring about 860 sq.ft at Plot No.37, Door No.105 ECR Road (Muttukadu Road) Thiruvanmiyur, Chennai 600 0041 without the consent and knowledge of other flat owners and without getting proper permission or approval from the 1 to 4th respondents and not following the existing building rules and regulations, CMDA rules and Town and Country Planning Act.



2. The learned counsel appearing for the petitioner would submit that the 5th respondent has put up construction without the consent and knowledge of other flat owners and without getting proper permission or approval from the 1st to 4th respondents and not following the existing building rules and regulations, CMDA rules and Town and Country Planning Act, hence, the petitioner filed this writ petition for appropriate relief.

3. The learned counsel appearing for the 5th respondent would submit that they have not violated the rules and regulations as alleged by the petitioner therefore, allegations made against the 5th respondent by the petitioner is not correct.

4. In such view of the matter, when the 5th respondent is disputing the facts with regard to the allegations made by the petitioner, the same can be decided before the appropriate Civil Court to establish his case in the manner known to law for getting proper relief. Hence, this Writ Petition is devoid of merits and the same is accordingly, dismissed with liberty to the petitioner to approach the civil Court. No costs. Consequently, connected miscellaneous petition is closed.

06-04-2026

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



WP No. 33550 of 2



KRISHNAN RAMASAMY, J.

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To

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