

**MINUTES OF THE 36<sup>th</sup> MEETING OF THE MONITORING COMMITTEE  
HELD @ 11.30 A.M ON 30.11.2009 IN THE CONFERENCE HALL OF CMDA**

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**MEMBERS PRESENT:**

1. Tmt. Susan Mathew, I.A.S.,  
Addl. Chief Secretary / Vice-Chairperson, CMDA
2. Thiru R. Natraj, I.P.S.,  
Director of Fire and Rescue Services
3. Prof. Suresh Kuppaswamy,  
School of Architecture and Planning, Anna University
4. Dr. A. Srivathsan,  
Architect and Urban Planner
5. Thiru Durganand Balsaver,  
Architect and Urban Planner

**Representatives**

6. Thiru V. Nallendran,  
Chief Engineer,  
TNEB.
7. Thiru N. Ramamurthi,  
APA to District Collector,  
Chennai.
8. Thiru.S. Veeramani,  
Divisional Officer,  
Chennai City Central,  
Tamil Nadu Fire and Rescue Services.

**Special Invitee**

9. Thiru Vikram Kapur, I.A.S.,  
Member-Secretary, CMDA.

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**AGENDA ITEM  
NO: 36.01**

CMDA – Reg.Unit - Leave of absence of the 36<sup>th</sup> Monitoring Committee meeting.

**Minutes**

Leave of absence was granted to the following members for the 36<sup>th</sup> Monitoring Committee Meeting:

1. Thiru.Louis Menezes, I.A.S. (Retd.)
2. Thiru.M.G.Devasahayam, I.A.S. (Retd.)
3. Thiru Rajesh Lakhoni, I.A.S.,  
Commissioner,  
Corporation of Chennai.
4. Thiru Shivdas Meena, I.A.S.,  
Managing Director,  
CMWSSB, Chennai.
5. Thiru.Chandara Prakash Singh, I.A.S.,  
Chairman  
Tamil Nadu Electricity Board  
Chennai.
6. Tmt. V. Shobana, I.A.S.,  
District Collector, Chennai
7. Thiru P.T. Krishnan,  
Architect.

**AGENDA ITEM NO:  
36.02**

Confirmation of the minutes of the 35<sup>th</sup> meeting of the Monitoring Committee – Placed for confirmation.

**Minutes**

**Confirmed**

**AGENDA ITEM NO:  
36.03**

Action taken on the minutes of the 35<sup>th</sup> meeting - Placed before the Monitoring Committee for information.

**Minutes**

**Recorded.**

**AGENDA ITEM  
NO.36.04**

CMDA – Reg.Unit – Reg.III Dn. – BF+GF+2F+3F (part) Residential building at New Door No.5, Old Door No.3, 2<sup>nd</sup> Street, Nandanam Extension, Chennai-35 – R.S. No.3884/54, Block No.77 of Mylapore Village – Applied Under Reg.1999 Scheme (Reg.No.345) – Evidence on completion of building before 28.02.1999 – Examined – Placed before the M.C for decision.

**Minutes**

**The Monitoring Committee on going through the file resolved to accept that the Special Building comprising BF+GF+2F Residential building at New Door No.5, Old Door No.3, 2<sup>nd</sup> street, Nandanam Extension, Chennai-35 in R.S.No.3884/54, Block No.77 of Mylapore**

**Village had been completed before 28.02.1999.** The Gift Deed executed in Document No.446 dt.23.12.1998 and Document No.447 dt.23.12.1998 were accepted as credible evidence. The inspection report of CMDA dt.16.08.99 was accepted as supportive evidence. (The building has to be put into residential use. No credible evidence was furnished for 3<sup>rd</sup> floor part).

**AGENDA ITEM  
NO.36.05**

CMDA – Reg.Unit – Reg.III Dn. – GF+3F Residential building with 8 dwelling units at Door No.37, New Door No.19, Cenotaph Road, 1<sup>ST</sup> Lane, R.S.No.3847/59, Block No.76 of Mylapore Village, Chennai-600 018 – Applied under Reg-1999 Scheme (Reg.No.2286) and Reg-2000 Scheme (Reg.No.6587) – Evidence on completion of building before 28.02.1999 – Examined – Placed before the M.C for decision.

**Minutes**

**The Monitoring Committee on going through the file resolved to accept that the Special Building comprising of GF+3F Residential Building with 8 Dwelling units at Door No.37, New Door No.19, Cenotaph Road, 1<sup>st</sup> lane, R.S.No.3847/59, Block No.76 of Mylapore village had been completed before 28-02-1999.** The property Tax Assessment Notice issued by Chennai Corporation dt.28.10.98, 1/98-99 for 8 flats was accepted as credible evidence. The inspection report of CMDA dt.24.08.99 was accepted as supportive evidence.

**AGENDA ITEM  
NO.36.06**

CMDA – Reg.Unit – Reg.III Division – GF+FF+SF(part) Cottage industry cum residential building at Door No.51, Srinivasa Perumal Sannadhi IInd Street, Royapettah, R.S.No.99/61, Block No.4 of Mylapore Village, Chennai -14 Evidence on completion of building before 28.2.99 – Examined – Placed before the M.C. for decision.

**Minutes**

**The Monitoring Committee on going through the file resolved to accept that the Special Building comprising of GF+FF for Commercial use and 2<sup>nd</sup> Floor part for residential use at Door No.51, Srinivasa Perumal Sannadhi 2<sup>nd</sup> Street, Royapettah, R.S.No.99/61, Block No.4 of Mylapore Village, Chennai-14 had been completed before 28-02-1999.** The Demolition notice issued by CMDA in Lr.No.ESI/22718/97 Dt.17.03.98 was accepted as credible evidence. The inspection report of CMDA dated 03.12.99 was accepted as supportive evidence.

**AGENDA ITEM  
NO.36.07**

CMDA – Reg.Unit – Reg.III Division – GF+2F+3F (Part) residential building with 4 dwelling units at Door No.100, 4<sup>th</sup> Street, Abhiramapuram, R.S.No.3647/29, 33 to 38, Block No.72 of Mylapore Village, Chennai-18 – Applied Under Reg-1999 Scheme (Reg.No.152) – Evidence on completion of building before 28.02.1999 – Examined – Placed before the M.C for decision.

**Minutes**

The Monitoring Committee on going through the file resolved to accept that the Special Building comprising of GF+2F+3F (part) Residential building with 4 Dwelling units at Door No.100, 4<sup>th</sup> street, Abhiramapuram, R.S.No.3647/29,33 to 38, Block No.72 of Mylapore village, Chennai-18 had been completed before 28-02-1999. The property Tax Assessment Notice of Chennai Corporation dt.21.07.2009 issued for the period 2/98-99 was accepted as credible evidence. The inspection report of CMDA dt.27.05.99 was accepted as supportive evidence.

**AGENDA ITEM  
NO.36.08**

CMDA – Reg.Unit – Reg.III Division – BF+GF+FF+2F(part) Residential building with one dwelling unit at Door No.44, Maharaja Surya Road, Alwarpet, Chennai-18, R.S.No.1554/127, Block No.30 of Mylapore Village, Applied Under Reg-1999 Scheme (Reg.No.2390) – Evidence on completion of building before 28.02.1999 – Examined – Placed before the M.C for decision.

**Minutes**

The Monitoring Committee on going through the file observed that there is a wide difference in the floor wise area indicated in the certificate dt.04.08.09 issued by Assistant Revenue Officer, Zonal Office-VII, Chennai Corporation and the area shown in the Regularisation plan. The Committee decided not to accept the evidence as credible for completion of building prior to 28.02.1999.

**AGENDA ITEM  
NO.36.09**

CMDA – Reg.Unit – Reg.III Dn. – GF+FF+2F(pt) Residential building with 2 Dwelling units at Door No.8, Plot No.46, Nainiappan street, R.S.No.4087, Block No.89 of Mylapore village, R.A.Puram, Chennai-28 – Evidence on completion of building before 28.2.99 – Examined – Placed before the MC for decision.

**Minutes**

The Monitoring Committee on going through the file resolved to accept that the Special Building comprising of GF+FF+2F (pt) Residential building with 2 Dwelling units at Door No.8, Plot No.46, Nainiappan Street, R.S.No.4087, Block No.89 of Mylapore village, R.A.Puram, Chennai-28 had been completed before 28-02-99. The

property Tax Assessment Notice issued by Chennai Corporation dt.06.08.98 and 01.03.99 for the period 1/97-98 was accepted as credible evidence. The inspection report of CMDA dt.09.11.99 was accepted as supportive evidence.

**AGENDA ITEM  
NO.36.10**

CMDA – Reg. Unit – MSB Reg.Dn. – Regularisation of unauthorized/deviated construction of GF+4F commercial cum residential building at Door No.52, Dr.B.N.Road, T.Nagar, Chennai-17, in T.S.No.4892, Block No.112 of Mambalam village – Subject placed before the Monitoring Committee for decision.

**Minutes**

The Monitoring Committee on going through the file and reinspection report dated 01.04.2009 which was carried out based on the minutes of the 34<sup>th</sup> Monitoring Committee meeting held on 18.03.2009 resolved to accept MSB Commercial building comprising GF+4 Floors at Door No.52, Dr. B.N. Road, T. Nagar, Chennai-17, in T.S. No.4892, Block No.112 of Mambalam Village had been completed before 28.02.1999. The appeal rejection order issued by Government H&UD Dept in G.O.D. No.92 dated 27.03.98, Demolition Notice issued by CMDA in Lr.No.EC2/24791/97 dated 31.12.97 and ES3/14304/95 dated 05.09.95 was accepted as credible evidence.

**AGENDA ITEM  
NO.36.11**

CMDA – Reg. Unit – MSB Reg.Dn. – Regularisation of unauthorized/deviated construction of GF+3F+4F (part) commercial building at Door No.117 & 118, Pycrofts Road in R.S.No.1244/part, Block No.26 of Triplicane, Chennai-5 – Subject placed before the Monitoring Committee for decision.

**Minutes**

The Monitoring Committee on going through the file resolved to accept that the MSB comprising GF+3F+4F (part) Commercial building at Door No.117 & 118, Pycrofts Road in R.S. No.1244/part, Block No.26 of Triplicane, Chennai-5 completed before 28.02.1999. The Demolition Notice issued by CMDA in letter No. EC1/20318/97 dated 09.10.97 was accepted as credible evidence.

**AGENDA ITEM  
NO.36.12**

CMDA – Reg. Unit – Reg.MSB Dn. – Regularisation of BF+GF+4 Floors Commercial cum Residential building at Door No.18/4, Muttukadu Road (New Mahabalipuram Road), Thiruvanniyur, Chennai-41 in S.No.205/4A, 5A & 10 of Thiruvanniyur village – High Court orders dated 07.07.09 in W.P.No.28580 of 2008 – Examined – Placed before Monitoring Committee for decision – Reg.

**Minutes**

The Monitoring Committee on going through the file resolved to accept the MSB Commercial cum Residential building comprising BF+GF+4F deviated/unauthorised construction at Door No.18/4, Muttukadu Road (New Mahabalipuram Road), Thiruvanniyur, Chennai-41 in S.No.205/4A, 5A & 10 of Thiruvanniyur village had been completed prior to 28.02.1999. Since the applicant obtained Time Bound Court order, even though the application was received under Regularisation 2000 Scheme, the Monitoring Committee agreed to process the application based on the A.G.'s opinion dated 12.11.2009. The site under reference lies more than 500 mtrs. away from H.T.L. and hence it does not attract the provisions under CRZ-II category. The site under reference lies within Chennai City limit and does not attract the provisions of Aquifer Recharge Area guidelines. The Caution Notice published by CMDA in Economic Times on 17.09.1995 and extract of demolition notice register dated 26.09.1995 of CMDA were accepted as credible evidence.

**AGENDA ITEM  
NO.36.13**

CMDA – Reg.Unit – Reg MSB Dn. –Regularisation of unauthorized / deviated construction of BF+GF+4 floors commercial use at Door No.12/28, Cathedral Garden Road, Nungambakkam, Chennai -34 and in R.S.No.1/2 & 2/36, Block No.1 of Mylapore village – Ramp provided on the rear side of the building – Subject placed before Monitoring Committee for its decision – Reg.

**Minutes**

The Monitoring Committee on going through the file resolved to accept the BF+GF+4 floors commercial building at Door No.12/28, Cathedral Garden Road, Nungambakkam, Chennai-34 and in R.S. No.1/9 & 2/36, Block No.1 of Mylapore Village, Chennai has been completed prior to 28.02.1999 as already decided in the 17<sup>th</sup> Monitoring Committee meeting held on 27-07-2007 and the ramp constructed may be accepted considering the fact that the ramp has been constructed to fulfill the condition of DFRS suggestion of alternative fire safety measure.

**AGENDA ITEM  
NO.36.14**

CMDA – Reg. Unit – Reg.I&I Dn. – Industrial building – Regularisation of GF+3Floors at Door No.41 to 49, South Mada street in S.No.348/1A part of Konnur village, Villivakkam, Chennai – Applied under Reg.1999 scheme (Reg.No.516/99) and Reg.2000 scheme (Reg.7075/2000) Opportunity given – Particulars – Examined – Placed before the M.C. for decision.

**Minutes**

**The Monitoring Committee on going through the file resolved to accept that the Industrial building comprising of G+3F floors at Door No. 41 to 49, South Mada Street in S.No.348/1A part of Konnur Village, Villivakkam, Chennai had been completed before 28-02-1999.** The inspection report of CMDA dated 29.07.1999 was accepted as credible evidence.

**AGENDA ITEM  
NO.36.15**

CMDA – Reg. Unit – I&I Dn. – Proposed regularisation of Institutional building at Door No.201, Lattice Bridge Road, Thiruvanmiyur, Chennai-41 in S.Nos.78/1pt, 78/2pt, 78/6pt, 78/12A & 79/1A, 2, 3A, 3B, 4A, 4B, 5pt & 6pt of Thiruvanmiyur village, Chennai – Evidence examined – Subject placed before Monitoring Committee for decision.

**Minutes**

**The Monitoring Committee on going through the file resolved to accept that the Institutional building at Door No.201, Lattice Bridge Road, Thiruvanmiyur, Chennai-41 in S.Nos.78/1pt, 78/2pt, 78/6pt, 78/12A & 79/1A, 2, 3A,3B, 4A, 4B, 5pt & 6pt of Thiruvanmiyur village had been completed before 28-02-1999.** The refusal letter of CMDA in Lr. No.C4/2450/99 dated 30.04.1999 and Demolition Notice of CMDA dated 09.09.1999 were accepted as credible evidence. The inspection report of CMDA dated 29.09.1999 was accepted as supportive evidence.

**AGENDA ITEM  
NO.36.16**

CMDA – Reg.Unit – Reg.I&I Dn. – Regularisation of unauthorized/deviated construction of BF+GF+4F part of Industrial Multistoreyed building in S.No.15pt, Block No.2 at Plot No.26B (Door No.26B) SIDCO Industrial Estate, Ekkattuthangal, Chennai-97 – Opportunity given – Particulars received – Examined and placed before M.C. for decision.

**Minutes**

**The Monitoring Committee on going through the file resolved to accept that the BF+GF+2 Floor Industrial building as applied for Regularisation at Door No.26B, Plot No.26B, Jawaharlal Nehru Salai at SIDCO industrial Estate in S.No.15 Pt., Block No.2 at**

**Ekkattuthangal, Chennai-97 had been completed before 28-02-1999.**

The demolition Notice of CMDA issued in letter No.EC3/16630/98 Dt.30.10.1998 was accepted as credible evidence. The inspection report of CMDA dt.15.11.1999 was accepted as supportive evidence. (No credible evidence for 3<sup>rd</sup> floor and 4<sup>th</sup> floor part has been produced).

**AGENDA ITEM  
NO.36.17**

CMDA – Reg.Unit – Layout & Ordinary Buildings Dn. – Orders of the Division Bench of Madras High Court in W.P.No.18898/2000, 1998/01, 24316/2002 and 17606/06, dt. 23.08.06 / Certain queries – Opinion sought from Advocate General of Tamil Nadu – Opinion received – Subject placed before the Monitoring Committee for its decision – Reg.

**Minutes**

The members discussed in detail, the observations made by the High Court orders dated 23.08.2006, clarifications sought by the CMDA in letter dated 18.8.09 and the opinion of the Advocate General in letter dated 12.11.09. The Monitoring Committee reiterated the earlier decision on the agenda item No.3 in the 3<sup>rd</sup> Monitoring Committee meeting held on 10.01.07.

The following were decided:

1. All types of buildings constructed prior to 28.2.99 may be considered for regularisation irrespective of whether the application was received under 1999, 2000, 2001 or 2002 Reg. scheme and also the belated applications subsequently received, based on individual Court orders.
2. Now, Tamil Nadu Town and Country Planning Act, 1971 has been amended vide Act 61 dated 29.11.08 wherein provision is there for locking and sealing of deviated/unauthorised portions and hence Monitoring Committee decided favourably for considering individual flats also for regularisation. Any individual flat in a building constructed prior to 28.2.99 may be considered for regularisation irrespective of whether the application was received under 1999, 2000, 2001 or 2002 Reg. scheme and also in respect of the belated applications subsequently received, based on individual Court orders.
3. The plots sub-divided unauthorisedly prior to 28.2.1999 may be considered for regularisation, irrespective of whether the application was received under 1999, 2000, 2001 or 2002 Reg. scheme and also

the belated applications subsequently received, based on individual Court orders.

4. To follow the 1999 Reg. Scheme in its entirety with regard to the other norms as well as the fees for all applications considered for regularisation irrespective of whether received under 1999, 2000, 2001 or 2002 regularisation schemes.
5. M.C. also discussed the observations made by the L.F. Audit of CMDA in respect of the collection of applicable OSR charges. M.C. resolved to collect the OSR charges for the unauthorised subdivisions for the building /open plots based on the Guide Line Value of the Registration Department as prevailing on 01.07.1999.

**AGENDA ITEM  
NO.36.18**

CMDA – Monitoring Committee – Reg.II Dn. – Special building – Regularisation of Ground Floor + First floor Residential building consisting two separate blocks with 3 dwelling units at plot No.4721, 1<sup>st</sup> Street, A.A.Block, Arignar Anna Nagar, Chennai-40, R.S.No.34 part of Periakudal village – Further evidence received and examined – Placed before the MC for decision.

**Minutes**

**The Monitoring Committee on going through the file resolved not to accept the Regularisation of Ground Floor + First Floor Residential Building consisting two separate Blocks with 3 Dwelling Units at Plot No.4721, 1<sup>st</sup> Street, A.A. Block, Arignar Anna Nagar, Chennai-40 R.S. No.34 Part of Periakudal Village with regard to completion prior to 28.02.1999. There is a vast difference in floor area between regularisation plan and property tax. Notice of Chennai Corporation dt.1.3.99 and further Corporation of Chennai's property tax notice dt.1.3.99 do not indicate the number of blocks existing at the site under reference.**

**AGENDA ITEM  
NO.36.19**

CMDA – Reg. Unit – Reg. MSB Dn. – Regularisation of unauthorised/deviated construction BF+GF+3 Floors+4<sup>th</sup> floor part and 5<sup>th</sup> floor part of Commercial building at No.44, K.B. Dasan Road, Chennai – Evidence examined and placed before Monitoring Committee for decision.

**Minutes**

**The Monitoring Committee on going through the file resolved to accept the MSB Commercial building comprising BF+GF+3Floors+4<sup>th</sup> floor part and 5<sup>th</sup> floor part at No.44, K.B. Dasan**

**Road, Chennai had been completed prior to 28.02.1999.** The Enforcement Cell's Show Cause Notice and Demolition Notice Lr.No.ES1/8942/97-2 dated 17.02.1999 and ES1/8942/97-1 dated 17.02.1999 were accepted as credible evidence.

**AGENDA ITEM  
NO.36.20**

CMDA – Reg. Unit – MSB Reg. Dn. – Regularisation of unauthorised/deviated construction of BF+GF+4F commercial cum residential building at Door No.7, Balar Kalvi Nilayam Avenue, Ritherdon Road in R.S.No.662/16, Block No.15 of Vepery village – Subject placed before the Monitoring Committee for decision.

**Minutes**

**The Monitoring Committee on going through the file resolved to accept the MSB Commercial cum Residential building comprising BF+GF+4 Floors at Door No.7, Balar Kalvi Nilayam Avenue, Ritherdon Road in R.S. No.662/16, Block No.15 of Vepery village had been completed prior to 28.02.1999.** The CMDA's Enforcement Cell Notice in EN2/18054/97 dated 20.02.1998 and CMDA's refusal order in letter No.C3/10659/98 dated 31.08.1998 were accepted as credible evidence. Government letter No.33589/UDI/9-1 dated 22.09.1998 addressed to the Member-Secretary, CMDA was accepted as supportive evidence.

**AGENDA ITEM  
NO.36.21**

CMDA – Reg.Unit – Reg.III Dn. – Unauthorised construction of an individual flat at 2<sup>nd</sup> floor of GF+2F residential building at Door No.151/2 (Old No.60/2) Chella Complex, Big street, R.S.No.2300/1, Triplicane, Block No.40 of Triplicane village, Chennai-5 – Applied under Reg.2002 scheme (Reg.No.25400) – Rejected for no evidence of completion before 28.02.99 – Refund of Reg. fee requested by applicant – e-mail is brought to the notice and decision of MC as it involves a general principle requiring clarification.

**Minutes**

The Monitoring Committee took note of the refund request made by the applicant in the instant case and many other similar requests from the applicants whose regularisation applications were rejected and also the applications where it is not regularisable. The Committee felt that since the High Court has upheld the 1999 Reg. scheme and declared 2000, 2001 and 2002 Reg. scheme extensions as ultra vires, it may not have any objection for refund of Reg. fee for the rejected cases. However the Reg. fees have been handed over to the Govt. already. The Govt. has filed a review petition against the High Court orders dated 23.08.06

before the Hon'ble High Court. Since the outcome of the review petition filed before the Hon'ble High Court will have a bearing on the refund, the opinion of AG may be sought on the Reg.fee refund in the Reg. rejected cases.

**AGENDA ITEM  
NO.36.22**

CMDA – Reg. Unit – Reg.III Dn. – GF+3F Residential building with 8 dwelling units at Door No.13, Singarachari street, Triplicane, R.S.No.1805/1, 1807/1 & 3, Block No.35 of Triplicane village, Chennai-5 – Applied under Reg.1999 scheme (Reg.No.2106) – Evidence of completion of building before 28.2.1999 – Examined – Placed before the MC for decision.

**Minutes**

**The Monitoring Committee on going through the file resolved to accept that the Special Building comprising of GF+3F Residential Building with 8 Dwelling units at Door No.13, Singarachari Street, R.S.No.1805/1, 1807/1 &3, Block No.35 of Triplicane village, Chennai-5 had been completed before 28.02.99.** The property Tax Assessment Notice issued by Chennai Corporation for the period 1/97-98 and 2/98-99 dt.18.06.97 was accepted as credible evidence. The inspection report of CMDA dt.28.10.99 was accepted as supportive evidence.

**AGENDA ITEM  
NO.36.23**

CMDA - Enforcement Cell – Further simplification the procedure for obtaining Completion Certificate and revision of Completion Certificate norms – Subject placed before the Monitoring Committee for consideration – regarding.

**Minutes**

**The Committee decided that the Sub-Committee constituted earlier on CC Norms shall look into the proposed revised norms and procedures and make recommendations to the Monitoring Committee. On receipt of the recommendations the Monitoring Committee meeting may be convened exclusively for the purpose of the approval of revised CC Norms and procedure.**

**AGENDA ITEM  
NO.36.24**

CMDA – Enforcement Cell (Central) – Follow up of Enforcement action on the unauthorised construction highlighted in their representation received from the Monitoring Committee Member – Status of action taken – For information – Reg.

## **Minutes**

### **Recorded.**

It was also suggested that the File relating to Tanishq Show Room, Usman Road may be reexamined regarding date of completion with reference to the cut-off date of the Ordinance, i.e. 27.07.2007. Further, a subject may be brought in the next Monitoring Committee on the improvement of the enforcement system with specific reference to Locking and Sealing with involvement of Local bodies, for a detailed discussion in general and aiming at major unauthorized constructions on major corridors in particular.

ADDL. CHIEF SECRETARY / VICE CHAIRPERSON, CMDA  
& CO-ORDINATOR, MONITORING COMMITTEE.