



WEB COPY

W.P. No. 32604 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-08-2026

CORAM

**THE HONOURABLE DR JUSTICE G. JAYACHANDRAN
AND
THE HONOURABLE MR.JUSTICE E.MANOHARAN**

W.P.No.32604 of 2026

and

W.M.P.No.35841 of 2026 & W.M.P.No.35899 of 2026

1. Mr.Sadhak Abdul Khader,
S/o.Ahamed Salahudeen,
2. Mr.Shakeek Ahmed,
S/o.Mr.Sadhak Abdul Khader,
3. Hameed Hussain Salahudeen,
S/o.Mr.Sadhak Abdul Khader
4. Sithi Aysha Lina,
D/o.Mr.Sadhak Abdul Khader,

All are residing at,
No.2/16, VGM Street, Nungambakkam,
Chennai – 600 034. ... Petitioners

Vs.

1. The Commissioner,
Greater Chennai Corporation,
Rippon Building,
Poonamalle High Road,
Chennai – 600 003.
- 2.The Zonal Officer,
Greater Corporation of Chennai (Zone-VIII)
No.36B/12B, near Thiru vi park,
Pulla avenue, Pulla Avenue Road,
Shenoy Nagar,
Chennai – 600 030.



3.The Executive Engineer,
Greater Corporation of Chennai,
(Zone-VIII) No.36B/12B,
Near Thiru vi park, Pulla Avenue,
Pulla Avenue Road, Shenoy Nagar,
Chennai – 600 030.

4.The Assistant Executive Engineer,
Town Planning-Enforcement,
Greater Corporation of Chennai,
(Zone-viii) No.36B/12B,
Near Thiru vi park, Pulla Avenue,
Pulla Avenue road,
Shenoy Nagar,
Chennai – 600 030.

... Respondents

Prayer: Writ Petition has been filed under Article 226 of the Constitution of India, to issue Writ of Certiorari, to call for the records pertaining to the notice in notice No.III/noe/n108/00048/2026 dated 14.07.2026 issued by the 3rd respondent and quash the same.

For Petitioners: Mr. K.Mahalingam,

For Respondents: Ms. K.Aswini Devi,
Standing Counsel for R1 to R4

ORDER

(Order of the Court was made by G.Jayachandran J.)

Notice issued by the Corporation for removal of unauthorised construction is challenged in the present writ petition. As per the impugned notice dated 14.07.2026, the petitioner has put up construction consisting of ground floor measuring 1246 sq.ft, 1st floor 1246 sq.ft, 2nd floor 1246 sq.ft and 3rd floor 1246 sq.ft. The Learned Counsel appearing for the petitioner submits



that, after making site inspection on 10.07.2026, the impugned notice was issued on 14.07.2026.

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2. The Learned Counsel appearing for the petitioner, relying upon the tax assessment notice and building plan permission purportedly issued in the year 1993, contends that there is no new construction made by the petitioner except painting of the building and further submits that there is no additional construction in the 3rd floor except a water tank.

3. We have given our anxious consideration to the above submissions and perused the records. The planning permission shown to this Court not been produced before the authorities at the time of site inspection and even otherwise the planning permission is only for the ground floor. However, according to the tax assessment notice, we find that there is a construction in the third floor which has been used as residence of the owner. That apart, the site inspection conducted on 10.07.2026 discloses that the petitioner has put up the construction of third floor to an extent of 1246 sq.ft. Even assuming that the petitioner had planning permission, apparently the building as it stands today is in violation of the planning permission. Therefore, the action of the Corporation to remove the unauthorised portion of the development carried out by the petitioner cannot be faulted. We find no merit in this Writ Petition.



4. Accordingly, this Writ Petition is dismissed. The respondents are at liberty to remove the portion of construction which has been put up without approval and the planning permission. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

(Dr. G.JAYACHANDRAN, J.) & (E.MANOHARAN, J.)
13-08-2026

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

To,
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