



WEB COPY



W.P.No.22556 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.10.2023

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU
and
THE HONOURABLE MRS. JUSTICE N.MALA

W.P.No.22556 of 2023
and W.M.P.No.21999 of 2023

V.KANNIYAPPAN

... Petitioner

Vs.

1. THE COMMISSIONER
CORPORATION OF CHENNAI,
RIPPON BUILDINGS,
CHENNAI 03.

2. THE EXECUTIVE ENGINEER
ZONE 01, GREATER CHENNAI CORPORATION,
CHENNAI.

3. THE ASSISTANT EXECUTIVE ENGINEER
UNIT 03 , GREATER CHENNAI CORPORATION,
CHENNAI.

4. THE ASSISTANT ENGINEER
DIVISION - 014 , GREATER CHENNAI CORPORATION,
CHENNAI.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to
issue a Writ of Certiorari, calling for the records relating to the impugned

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letter issued by the respondents 2 to 4 in Letter No . 01/ 02748/ 2023 dated 30.06.2023 and quash the same as illegal.

For Petitioner : Mr.T.Prabhu

For Respondents : Mr.E.C.Ramesh
Standing Counsel

ORDER

(Order of the Court was made by J.Nisha Banu,J.)

This Writ Petition has been filed for issuance of Writ of Certiorari, calling for the records in Letter No.01/02748/2023 dated 30.06.2023 issued by the respondents 2 to 4 and quash the same.

2.According to the petitioner, he and his sister are the absolute owners of the property in Survey No.133, Old No.87, New No.53, 6th street, 1st Lane, Thiagarayarapuram, Thiruvottiyur, Chennai – 600 019. The petitioner was issued with the impugned Lock & Seal and Demolition Notice vide letter No.01/02748/2023 dated 30.06.2023 by the respondents 2 to 4.



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3.The learned Standing counsel appearing for the respondents 1 to 4 would submit that the respondents vide the Stop work notice dated 07.06.2023 called upon the petitioner to produce the approved plan for the subject property. The petitioner neither produced copy of the approved plan nor given any reply. Hence, the respondents issued the notice impugned in this Writ Petition.

4.Heard both sides and perused the materials available on record.

5.Though, the petitioner prayed for a larger relief, in the light of the above facts and circumstances of this case, this Court is of the view that the petitioner can very well invoke the appeal remedy available under Section 80A of the Town and Country Planning Act.

6.In the result, this Writ Petition stands dismissed, granting liberty to the petitioner, to prefer an appeal under Section 80 A of the Act, if so advised, before the Additional Secretary (Technical), Housing and Urban Development Department, within a period of eight weeks from the date of



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receipt of a copy of this order. No costs. Consequently connected miscellaneous petition is closed.

(J.N.B.,J.) (N.M.,J.)
31.10.2023

Index : Yes / No
Speaking Order : Yes/No
Internet:Yes/No
Neutral Citation: Yes/No
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To

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RIPON BUILDINGS,
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