



WEB COPY

WP No. 8890 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-03-2025

CORAM

THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

WP No. 8890 of 2025

and

WMP.Nos.9981, 9982 & 10233 of 2025

1. Mohana Ranga.S
S/o Govinda Rajan
Flat No SF2, Door New No 51, Old No 21,
Thambaiah Road,
West Mambalam, Chennai

Petitioner(s)

Vs

1. The State Of Tamil Nadu
Represented By Its Secretary To The Government,
Housing And Urban Development Department
Fort St George, Chennai

2.The Commissioner
Greater Chennai Corporation
Rippon Building, Chennai

3.The Executive Engineer
Greater Chennai Corporation Zone 10



117, Nsk Salai, Kodambakkam Chennai

4.The Assistant Engineer

Greater Chennai Corporation Zone 10 Division 134

58, Thambaiah Road, Kodambakkam Chennai

Respondent(s)

PRAYER

Directing the respondents 2-4 to call for the records in Lock and Seal of the premises situated in SF2, Door New No. 51, Old No 21, Thambaiah Road, West Mambalam, Chennai dated Nil and quash the same and further direct the respondents to remove the lock and seal affixed in SF2, Door New No. 51 Old No 21, Thambaiah Road, West Mambalam, Chennai based on the representation dated 24.02.2025.

For Petitioner(s): Mr.S.C Vishwanth

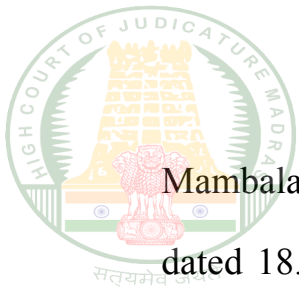
For Respondent(s): Mr.A.Arun Babu SC For GCC
For R2 To 4

ORDER

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

The lock and seal notice issued by the 2nd respondent, Greater Chennai Corporation is under challenge in the present Writ Proceedings.

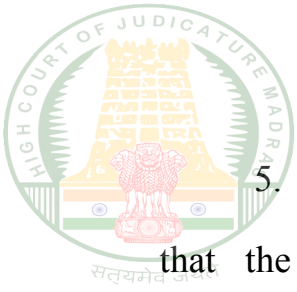
2. One Mr.S.Ashok Kumar earlier filed Writ Petition in W.P.No.34974 of 2024 seeking a direction to demolish unauthorised shop measuring 275 sq.ft constructed in front portion of the apartment namely M/s.Sri Mahalakshmi Apartment, situated New Door No.51, Old No.21, Thambiah Road, West



Mambalam, Chennai – 33. The Division Bench of this Court passed an order dated 18.12.2024 directing the Chennai Corporation to proceed in accordance with law to remove the unauthorised construction put up and bring the building in conformity with the sanctioned plan.

3. Pertinently, in the said Writ Petition, the 4th respondent is M/s.Sambhoo Projects Limited, represented by its Director, Mr.Mohan Ranga. The said Mr.Mohan Ranga, Director of M/s.Sambhoo Projects Limited, filed the present Writ Petition in his personal name, challenging the lock and seal notice issued by the Chennai Corporation. However, the Writ Petitioner in the earlier petition, Mr.S.Ashok Kumar has not been impleaded as a party in the present Writ Petition. This Court cannot encourage the practice of filing repeated Writ Petitions without impleading necessary parties or challenging each notice issued by the Chennai Corporation without defending their case before the competent authority. Such Writ Petitions are filed only with an idea to prolong and protract the enforcement actions initiated by the Corporation. The present Writ Petition is one such, where the Writ Petitioner in the W.P.No.34974 of 2024 has not been impleaded, despite the fact that the Writ Petitioner in the present Writ Petition is the 4th respondent in the earlier Writ Petition.

4. Therefore, the Writ Petitioner is aware of the earlier Writ Petition order and the subsequent the notice issued by the Chennai Corporation.



5. Learned Standing Counsel for Chennai Corporation would submit that the lock and seal notice was sent through registered post with acknowledgment, which was returned with an endorsement stating "unclaimed". Thereafter, the notice was affixed in the front door of the premises, and a copy of the said notice has been enclosed in the typed set of papers filed along with the present Writ Petition. Thus, the Writ Petitioner is fully aware of the enforcement action already initiated pursuant to the direction issued by this Court in W.P.No.34974 of 2024, dated 18.12.2024. Instead of defending the case by producing relevant documents, the petitioner is attempting to prolong the matter.

6. In view of the facts and circumstances, the Greater Chennai Corporation is directed to continue the enforcement actions by following due process, and it is left open to the Writ Petitioner to produce the documents and defend his case before the Competent Authority.

7. The enforcement action commenced shall be completed within a period of eight weeks from the date of receipt of a copy of this order.



8. Accordingly, the Writ Petition is dismissed. No costs.

Consequently, the connected Miscellaneous Petitions are closed.

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(S.M.SUBRAMANIAM J.)(K.RAJASEKAR J.)

17-03-2025

gd

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To
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**S.M.SUBRAMANIAM
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