



WEB COPY



W.P.No.10388 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2025

CORAM :

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

WP No.10388 of 2025

N.Anbalagan
S/o.Nagappan
No.28/5, Govind Singh Street
Pulianthope, Chennai – 600012.

Petitioner(s)

Vs

1. The Commissioner
Greater Chennai Corporation,
Rippon Building, Chennai-600 003.
2. The Member Secretary
Chennai Metropolitan Development Authority
No.1, Gandhi Irvin Road, Egmore
Chennai – 600008.
3. The Zonal Executive Engineer (Zone VIII)
Greater Chennai Corporation
II Cross Street, East Pulla Avenue
Shenoy Nagar, Chennai – 600030.



W.P.No.10388 of 2025

WEB COPY

4. The Inspector of Police
MMDA, Arumbakkam Police Station
Chennai - 600106

5. K.Mohammed Yunus
S/o A.K.Kamaludeen
No.R.34, MMDA Colony Main Road
Arumbakkam, Chennai - 600106

6. K.Mohammed Ashfaque
S/o A.K.Kamaludeen
No.R.34, MMDA Colony Main Road
Arumbakkam, Chennai - 600106

7. A.K.Rizwanur Rahman
S/o A.K.Kamaludeen
No.R.34, MMDA Colony Main Road
Arumbakkam, Chennai - 600106

Respondent(s)

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus to direct respondents 1 to 5 to consider and dispose of petitioner's representation dated 13.01.2025 within a stipulated period.

For Petitioner(s): Mr.G.Kartheeban

For Respondent(s): Mr.Arun Babu
Standing Counsel
For R1 and R3

Ms.P.Veena Suresh
Standing Counsel
For R2



WEB COPY



W.P.No.10388 of 2025

Mr.K.Raja Srinivas
For M/s.P.Vs.Giridhar Associates
for R5 to R7

Mr.A.Gokulakrishnan
Additional Public Prosecutor
for R4

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

This is second round of litigation. The writ petition filed earlier was dismissed as withdrawn without any liberty.

2. Learned counsel for the petitioner would submit that he has filed a petition afresh in the light of the subsequent order passed by the Supreme Court in the case of ***Rajendra Kumar Barjatya and another v. U.P.Avas Evam Vikas Parishad and others, 2024 INSC 990.***

3. This petition does not disclose the status of the petition pending in the Supreme Court with reference to which order was passed by a Division Bench of this court earlier on 18.9.2024 in W.P.No.26925 of 2024 filed by respondent Nos.5 to 7.



W.P.No.10388 of 2025

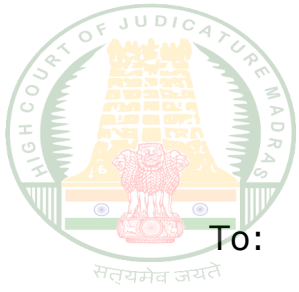
WEB COPY

4. As long as the aforesaid order stands, we are not inclined to proceed in the matter. We give the petitioner liberty to either challenge the earlier order passed on 18.9.2024 after obtaining necessary leave as may be required under law or to come out with appropriate pleadings clearly indicating the status of the petition pending in the Supreme Court in the matter of challenge to the constitutional validity of Section 113-C of the Tamil Nadu Town and Country Planning Act, 1971.

Petition is, accordingly, dismissed with liberty as prayed for.
There shall be no order as to costs.

(MANINDRA MOHAN SHRIVASTAVA, CJ) (SUNDER MOHAN,J)
24.07.2025

Index : Yes/No
Neutral Citation : Yes/No
sasi



W.P.No.10388 of 2025

To:

1. The Commissioner
Greater Chennai Corporation,
Rippon Building, Chennai-600 003.
2. The Member Secretary
Chennai Metropolitan Development Authority
No.1, Gandhi Irvin Road, Egmore
Chennai – 600008.
3. The Zonal Executive Engineer (Zone VIII)
Greater Chennai Corporation
II Cross Street, East Pulla Avenue
Shenoy Nagar, Chennai – 600030.
4. The Inspector of Police
MMDA, Arumbakkam Police Station
Chennai - 600106



WEB COPY



W.P.No.10388 of 2025

THE HON'BLE CHIEF JUSTICE
AND
SUNDER MOHAN,J.

(sasi)

WP No.10388 of 2025

24.07.2025