



WP No. 10959 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-03-2025

CORAM

**THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM
AND
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**WP No. 10959 of 2025
and
WMP.No.12356 of 2025**

1. P.Mallika
W/o Panchatcharam
No 18/23, Othavadai Street,
Gandhiji Nagar, Thiruvottiyur,
Chennai 19

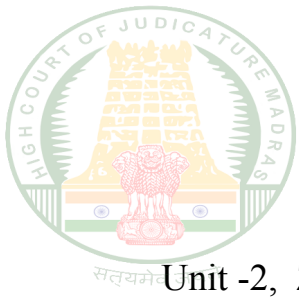
Petitioner(s)

Vs

1. The Commissioner
Greater Chennai Corporation,
Ripon Building, Chennai 600 003

2.District Revenue Officer / Zonal Officer
Zone -I, Greater Chennai Corporation,
No 945 Thiruvottiyur High Road,
Thiruvottiyur, Chennai 600 001

3.The Assistant Executive Engineer



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Unit -2, Zone I,
Greater Chennai Corporation,
Thiruvottiyur, Chennai 600 001

4.The Assistant Executive Engineer
Unit 2, Zone I,
Greater Chennai Corporation,
Thiruvottiyur, Chennai 600 001

5.The Assistant Engineer
Division -7, Unit -2, Zone I,
Greater Chennai Corporation,
Thiruvottiyur, Chennai 600 001

6.RAVINDRAN
S/o Sundaraj,
D.No 3/2, B- Block 5th Street
Kasipuram,
Royapuram, Chennai 13

Respondent(s)

PRAYER

Calling for the records of the respondents 2 to 4 regarding their demolition notice, bearing No. Z.O. 1. C. No D2 / 1856 / 2024, dated 17.03.2025 issued in the name of the petitioner in respect of the premises, situated at No.23, Othavadai Street, Gandhiji Nagar, Thiruvottiyur, Chennai-600 019, the site measuring an extent of 350 sq.feet (32 sq.meter), comprised in present T.S.No.37 of Thiruvottiyur Village and Taluk, Chennai District and the quash the same as illegal and arbitrary and consequently, direct the respondents to initiate proceedings afresh after affording sufficient opportunity to the petitioner and decide the same in accordance with law.



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For Petitioner(s): Mr.R.Munuswamy

For Respondent(s): Mr.D.B.R.Prabhu
Standing Counsel

ORDER

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

The notice issued by the Greater Chennai Corporation to demolish the unauthorized structure/building, situated at No.23, Othavadai Street, Gandhiji Nagar, Thiruvottiyur, Chennai-600 019, is under challenge in the present Writ Petition. The enforcement actions are continuing for a long time.

2. The learned Standing Counsel for the Corporation would submit that the petitioner has not produced any document to establish that the building was constructed by obtaining building plan permission.

3. Learned counsel for the petitioner would rely on the earlier orders of this Court, dated 08.03.2024 passed in W.P.No.25302 of 2023. The said Writ Petition was filed challenging the lock and seal notice, and demolish notice dated 29.04.2023, and the de-occupation notice dated 31.05.2023.

4. Thus, it is clear that the lock and seal notice, demolition notice, and de-occupation notice were issued in April and May 2023 itself. Even after



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receipt of the lock and seal notice and demolition notice, the petitioner has not produced any document, regarding the building plan permission.

5. This Court permitted the Writ Petitioner to submit her explanation along with the documents, if any. On receipt of any such document, the authorities shall consider and take a decision and proceed in accordance in law.

6. Therefore, only in the event of submitting any valid document, the the authorities will be in a position to consider the same, and in the absence of producing any such document, the authorities are directed to proceed in accordance with law.

7. As per the provisions of the Tamil Nadu Town and Country Planning Act (Removal of Unauthorised Development Rules, 2022), an initial notice is to be issued, calling upon the persons to submit the documents. If any document has been submitted, then alone it is to be considered by the authorities, failing which the authorities are empowered to continue the enforcement action and demolish the unauthorised construction, by following the procedure as contemplated.

8. In the present case, even at the first instance, the petitioner failed to produce the building plan permission or any other document, and a lock and



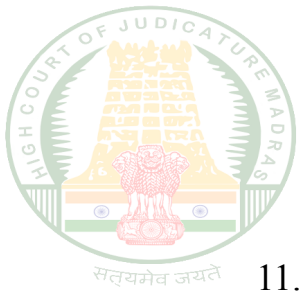
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seal notice and demolition notice were issued. Subsequently, a de-occupation notice was issued in May 2023, and the Writ Petition was filed. This Court also provided an opportunity to the petitioner to submit documents. However, even then the petitioner is not in a position to produce any document to establish the building plan permission was obtained. Therefore, the idea of filing present Writ Petition is undoubtedly to prolong and protract the matter, and to avoid enforcement actions on the hands of the authorities in accordance with law. Instead of defending the case by producing eligible documents, the petitioner is attempting to prolong the matter.

9. Learned Standing Counsel would submit that the Corporation would submit that the Corporation authorities have earlier sealed the property, and then pursuant to the direction of this Court to reconsider, they have de-sealed the property. Even thereafter, the petitioner has not produced any documents. Thus, the authorities have continued the enforcement action.

10. This being the established fact, the petitioner has not demonstrated any semblance of legal right. Thus, the Writ Petition appears to be an exercise in multiplicity of proceedings, filed with the intention of protecting the unauthorized construction, which cannot be countenanced by this Court.



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11. Thus, this Court do not find any infirmity in the actions now initiated. The Authorities are directed to conclude the enforcement action without causing any undue delay. Accordingly, the Writ Petition is dismissed. No costs. Consequently, the connected Miscellaneous Petition is closed.

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

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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Greater Chennai Corproaiton, Ripon
Building, Chennai 03

2.District Revenue Officer / Zonal
Officer

Zone -i, Greater Chennai Corporaiton,
No 945 Thiruvottiyur High Road,
Thiruvottiyur, Chennai 01

3.The Assistant Executive Engineer
Unit -2, Zone I, Greater Chennai
Corproaiton, Thiruvottiyur, Chennai
01

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Chennai Corproaiton, Thiruvottiyur,
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J.
AND
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