



W.P.No.12771 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.08.2025

CORAM:

THE HONOURABLE MRS. JUSTICE N.MALA

W.P.No.12771 of 2025

G.Deva

...Petitioner

-Vs-

1.State of Tamil Nadu,
Rep by its Secretary to Government,
Housing and Urban Development Department,
Fort St.George,
Chennai – 600 009.

2.The Commissioner,
Greater Chennai Corporation,
Ripon Buildings,
Poonamallee Highway,
Chennai – 600 003.

3.The Deputy Commissioner,
Greater Chennai Commissioner,
Central Regional Office,
N.No.36 B, O.No.12B, Pulla Avenue,
Shenoy Nagar,
Chennai – 600 030.

4.The Zonal Officer,
Greater Chennai Corporation,
Zone – 9,
No.1, Lake Area, 4th Cross Street,
Nungambakkam,
Chennai – 600 034.



W.P.No.12771 of 2025

5.The Assistant Revenue Officer,
Greater Chennai Corporation.
Zone – 9,
No.1, Lake Area, 4th Cross Street,
Nungambakkam,
Chennai – 600 034.

6.The Executive Engineer,
Greater Chennai Corporation.
Zone – 9,
No.1, Lake Area, 4th Cross Street,
Nungambakkam,
Chennai – 600 034.

7.The Joint Commissioner, (Traffic)
Greater Chennai Corporation,
No.132, Commissioner's Office Building,
Chennai – 600 007.

8.M/s.SS.Hyderabad Briyani P.Ltd.,
Doing business as SS Hyderabad Briyani,
Represented by its Director,
No.108, Arcot Road,
Trustpuram, Kodambakkam,
Chennai – 600 024.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Mandamus, directing the 1st to 7th respondents conduct inspection and to take appropriate legal action against the 8th respondent for the unauthorized use of the parking space on the ground floor of the building situated at No.11 Part, Plot No.15A, Puliyur Main Road, Trustpuram, Kodambakkam, in Ward -112, Zone-9, Unit-26, Chennai District for carrying on restaurant/hotel business in the name of S.S.Hyderabad Briyani and to restrain the 8th respondent from



W.P.No.12771 of 2025

carrying on business without necessary parking area and consequently directing the respondents to forbear the customers of 8th respondent to use the entire puliyur main road and adjoining roads as parking space and causing sever traffic jam in the locality and causing severe hardship to the general public by considering the petitioner's representation dated 08.01.2025 within a time framed to be fixed by this Court.

For Petitioner : Mr.R.Jayaprakash
For R1 : Mr.N.Naveen Kumar,
Government Advocate
For R2 to R6 : Mr.D.B.R.Prabhu,
Standing Counsel
For R7 : Mr.R.Kishore Kumar,
Government Advocate

ORDER

With the consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed Writ of Mandamus, directing the 1st to 7th respondents conduct inspection and to take appropriate legal action against the 8th respondent for the unauthorized use of the parking space on the ground floor of the building situated at No.11 Part, Plot No.15A, Puliyur Main Road, Trustpuram, Kodambakkam, in Ward -112, Zone-9, Unit-26, Chennai District for carrying on restaurant/hotel business in the name of



W.P.No.12771 of 2025

S.S.Hyderabad Briyani and to restrain the 8th respondent from carrying on business without necessary parking area and consequently directing the respondents to forbear the customers of 8th respondent to use the entire puliyur main road and adjoining roads as parking space and causing sever traffic jam in the locality and causing severe hardship to the general public by considering the petitioner's representation dated 08.01.2025.

3. The eighth respondent, a well-known biryani chain, obtained planning permission from the Corporation of Chennai on 14.10. 2023 (vide PPA.WDC No.09/00573/2021) for the construction of a building with restaurant space on the first floor and a parking area on the stilt floor at No.11 Part, Plot No.15A, TS No.53/2, Puliur Main Road, Trustpuram, Kodambakkam, Chennai. However, in violation of the approved plan, the eighth respondent is running the restaurant on the stilt floor earmarked for parking, thereby forcing visiting vehicles to occupy public roads, especially Puliur Main Road and adjoining streets. This has led to daily traffic congestion in the area. The petitioner, through RTI reply dated 16.12.2024, confirmed that the stilt floor is designated for parking, living, and the staircase alone.



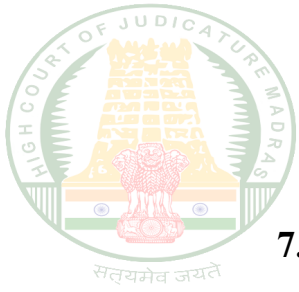
W.P.No.12771 of 2025

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4. Learned counsel appearing for the petitioner submits that the petitioner, a resident of Vadapalani, frequently travels through Puliyur Main Road and Arcot Road and is severely affected by the traffic and chaos caused by the unauthorized use of parking space for commercial activities. The eighth respondent, being aware of the expected customer volume, deliberately constructed the restaurant without adequate parking and is now encroaching upon public roads. Despite sending a representation to the concerned authorities on 08.01.2025, no action has been taken. Hence, the petitioner has approached this Hon'ble Court seeking directions to enforce the building regulations and initiate appropriate legal action against the eighth respondent.

5. Learned standing counsel appearing for respondents 2 to 6 would submit that the representation of the petitioner dated 08.01.2025 would be considered on merits, in accordance with law within a time frame stipulated by this Court.

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



W.P.No.12771 of 2025

7. Without going into the merits of the case, the 6th respondent is directed to consider the representation of the petitioner dated 08.01.2025 after conducting a detailed enquiry by giving due notice to the petitioner as well as 8th respondent, affording an opportunity of personal hearing, taking into consideration all the relevant documents submitted by the parties in regard to the subject matter property and pass appropriate orders on merits, in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order.

In the result, the writ petition stands disposed of with the above observations and direction. No costs.

14.08.2025

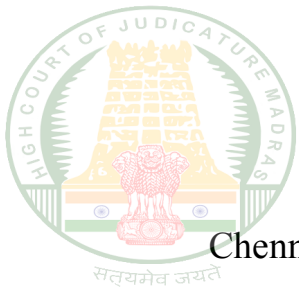
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Index : Yes/No

To

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W.P.No.12771 of 2025

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N.MALA.J



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W.P.No.12771 of 2025

cda/dh

W.P.No.12771 of 2025

14.08.2025