



WEB COPY

WP.No.14703 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2025

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

W.P.No.14703 of 2025
and
WMP.No.16592 of 2025

S.Yamini

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by Secretary to Government,
Housing and Urban Development Department,
Fort St.George,
Chennai - 600 009.
2. The Commissioner,
Greater Chennai Corporation,
P.H.Road, Chennai - 600 001.
3. The Executive Engineer, Zone-8,
Greater Chennai Corporation,
36B, Pulla Aveue, Shenoy Nagar,
Chennai - 600 030.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, seeking for an issuance of writ of mandamus, directing the 3rd respondent to remove the illegally pasted 'Lock and Seal' Notice to the petitioner's premises at New No.71, Old.No.242, Parasu Street, Kilpauk, Chennai - 600 010 pasted



WP.No.14703 of 2

without written order pursuant to the Inspection Notice dated 05.02.2025 vide Notice No.TP/ENF/017/2025 till disposal of the petitioner's appeal filed before the 1st respondent and the intended petition for regularisation before the 2nd respondent.

For Petitioner : Mr.I.Syed Sibghatulla
for Mr.C.S.Kiran

For Respondents : Mr.E.Veda Bagath Singh
Special Government Pleader for R1

: Mrs.K.Aswini Devi
Standing Counsel for GCC for R2 & R3

ORDER

(Order of the Court was made by **S.M.SUBRAMANIAM, J.**)

The writ of mandamus has been instituted to direct the 3rd respondent to remove the illegally pasted 'Lock and Seal' Notice to the petitioner's premises at New No.71, Old.No.242, Parasu Street, Kilpauk, Chennai - 600 010 pasted without written order pursuant to the Inspection Notice dated 05.02.2025 vide Notice No.TP/ENF/017/2025 till disposal of the petitioner's appeal filed before the 1st respondent and the intended petition for regularisation before the 2nd respondent.



WP.No.14703 of 2

WEB COPY

2. Admittedly, notice for compliance of planning permission was issued by the Greater Chennai Corporation in February, 2025. Since the petitioner has not produced all relevant documents, 'Lock and Seal' notice was issued and subsequently, the building was locked and sealed by the Greater Chennai Corporation. Admittedly, the petitioner preferred a Revision under Section 80-A of the Town and Country Planning Act and the said revision is pending before the Government for consideration. Instead of approaching the Government for redressing the grievance, the petitioner in addition filed the present writ petition to remove the lock and seal. The appeal itself has been instituted challenging the 'Lock and Seal' notice. That being so, the writ petition itself is not maintainable.

3. The Writ Petitions have been instituted to dispose of the statutory appeal/revision in a time bound manner. High Court cannot issue a mere direction fixing the time limit to dispose of the statutory appeal/revision. The number of appeal/revision pending and workload involved are to be assessed by the competent Authorities and they are the best persons to take a decision to dispose of these appeals as expeditiously as possible. In the event of issuance of any direction by the Courts, the same



WP.No.14703 of 2

would result in miscarriage of justice, since the many other persons who have preferred appeal/revision may be waiting for the disposal of their cases.

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Fixing the time limit in other words would cause prejudice to the other persons who have filed appeal/revision before the Government and waiting for the disposal of their cases.

4. It is relevant to rely on the Constitution Bench Judgment in the case of ***High Court Bar Association, Allahabad Vs. State of Uttar Pradesh & Ors.*** reported in **2024 (6) SCC 267**. Paragraph 47.3 of the Judgment reads as under:-

"47.3. Constitutional courts, in the ordinary course, should refrain from fixing a time-bound schedule for the disposal of cases pending before any other courts. Constitutional courts may issue directions for the time-bound disposal of cases only in exceptional circumstances. The issue of prioritising the disposal of cases should be best left to the decision of the courts concerned where the cases are pending."

5. All the grievances are to be placed before the Revisional Authorities/Government for passing appropriate orders including an interim order, if any. That being the scope of the Revision under Section 80-A of the



WP.No.14703 of 2

Town and Country Planning Act, the Writ Petition filed is misconceived and not maintainable and consequently stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

WEB COPY

[S.M.S,J.] [K.R.S,J.]
24.04.2025

veda

Index:Yes/No

Speaking order/Non-speaking order

Neutral Citation:Yes/No

To

1. The State of Tamil Nadu,
Represented by Secretary to Government,
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Chennai - 600 009.
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