



W.P.No.14703 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 25.03.2025

CORAM :

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE K.RAJASEKAR

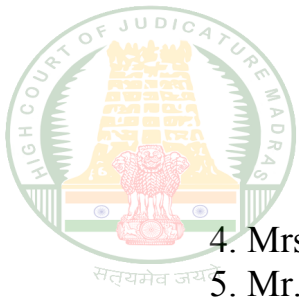
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Sree Gokulam Chit and Finance
Company (P) Ltd.,
represented by its Vice Chairman
Mr.V.C.Praveen
having its office at
No.66, Arcot Road, Kodambakkam
Chennai 600 024

.. Petitioner

-VS-

1. The Commissioner
Greater Chennai Corporation
Rippon Buildings
No.52, Raja Muthiah Road
Kannappar Thidal, Periyamet
Chennai 600 003
2. Chennai Metropolitan Development Authority
“Thalamuthu Natarajan Maaligai”
No.1, Gandhi Irwin Road
Egmore, Chennai 600 008
3. Zaibunnisa, W/o Mr.Mohamed Liaquathali



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4. Mrs.Arifa Begaum

5. Mr.Amir, S/o Abdul Rahman

..

Respondents

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Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to consider the representation of the petitioner dated 18.01.2024 and consequently direct the 2nd respondent to take appropriate action to remove the unauthorized construction put up by the respondents 3 to 5 in Plot No.30-A and 30-B in First Cross Street, 24th Main Road, K.S.Nagar, Kavankarai, Puzhal Village, Madhavaram Taluk, Chennai 600 066.

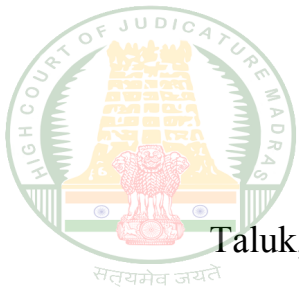
For Petitioner :: Mrs.R.Ramya

For Respondents :: Mr.D.B.R.Prabhu
Standing Counsel for R1
Mr.R.Sivakumar
Standing Counsel for R2
Mr.N.Sivakumar for R3
Mr.R.Mohammed Ashish for R4
Mrs.C.Shyaamala for R5

ORDER

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

The writ of mandamus has been instituted to direct the respondents 1 and 2 to consider the representation of the petitioner dated 18.01.2024 and to take appropriate action to remove the unauthorized constructions put up by the respondents 3 to 5 in Plot Nos.30-A and 30-B in First Cross Street, 24th Main Road, K.S.Nagar, Kavankarai, Puzhal Village, Madhavaram



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Taluk, Chennai 600 066.

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2. With reference to the allegations of the petitioner that the respondents 3 to 5 committed serious violation and constructed the buildings extensively in violation of the building plan permission, the Executive Engineer, Greater Chennai Corporation, Zone III, Madhavaram filed a status report. The status report filed by the Corporation reveals the following facts regarding unauthorized constructions/deviations:-

“6. I submit that as per the orders of the Hon'ble High Court, the Zonal Officer, Zone-III, Greater Chennai Corporation has inspected the buildings in question on 21.06.2024. Further at time of inspection it was found that Mrs.Arifa Begum viz., the 4th respondent herein alone has obtained planning permission with respect to her building at Plot No.30B, Kannappasamy Nagar, 24th First Cross Street, Kavankarai, Puzhal, Chennai 600 066 vide PPA.No.23813/2007-08 & BA.No.223/2007-08 dated 07.06.2007 from the erstwhile Puzhal Panchayat.

7. I submit that on scrutinizing the approved plan copy it was found that the 4th respondent herein has put up her building by



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deviating the approved plan. The measurements noted are as follows:-

<i>Sl. No.</i>	<i>Description</i>	<i>As per Plan</i>	<i>As per Site</i>	<i>Deviations</i>
1	Front Setback	2.90 m	3.53 m	0.63 m
2	Rear Setback	3.17 m	1.27 m	1.90 m
3	Side Setback 1	1.70 m	1.01 m	0.06 m
4	Ground Floor	95.69 sq.m	118.30 sq.m	22.61 sq.m

8. I submit that further action against the 4th respondent building has been taken by issuing a Locking & Sealing and Demolition Notice dated 25.06.2024 under Section 56 and 57 read with Section 85 of Tamil Nadu Town and Country Planning Act, 1971 by mentioning the above deviations to the 4th respondent herein.

9. I submit that since the 3rd and 5th respondents herein have failed to submit the approved plan with respect to their buildings, the buildings were treated as fully unauthorized one and further action has been taken by issuing a Locking & Sealing and Demolition Notice dated 25.06.2024 under Section 56 and 57 read with Section 85 of Tamil Nadu Town and Country Planning Act, 1971 to the 3rd and 5th respondent herein respectively.”



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WEB COPY 3. The Executive Engineer has further stated that all further actions against the buildings in question will be taken as per the provisions of the Tamil Nadu Town and Country Planning Act. In view of the said status report, the first respondent is directed to proceed with the enforcement action and demolish the unauthorized/deviated constructions, within a period of eight weeks from the date of receipt of a copy of this order. The writ petition stands allowed. Consequently, W.M.P.No.15948 of 2024 is closed. No costs.

Index : yes

Neutral citation : yes/no

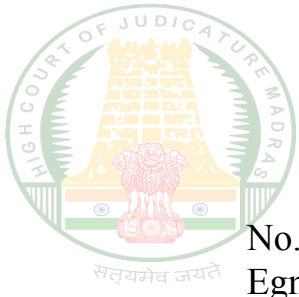
(S.M.S.,J.) (K.R.S.,J.)

25.03.2025

ss

To

1. The Commissioner
Greater Chennai Corporation
Rippon Buildings
Chennai 600 003
2. The Member Secretary
Chennai Metropolitan Development Authority
“Thalamuthu Natarajan Maaligai”



No.1, Gandhi Irwin Road
Egmore, Chennai 600 008

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S.M.SUBRAMANIAM,J.

AND

K.RAJASEKAR,J.

SS

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