



WEB COPY

WP No.18013 OF 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-08-2025

CORAM

THE HONOURABLE MRS JUSTICE J. NISHA BANU

AND

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

WP No. 18013 of 2025 and

WMP No.20207 of 2025

1. PUNITHA

W/o.Jeyaraj, No.61b, Ammayammal
Street, Puliyanthope, Chennai- 012.

Petitioner(s)

Vs

1. Government Of Tamil Nadu

Rep By Secretary To Government,
Housing And Urban Development,
Secretariat, Chennai-09.

2.Greater Chennai Corporation

Rep By Its Commissioner,
Ripon Building, Chennai-03.

3.Greater Chennai Corporation

Rep By Its Executive Engineer Zone-
6, Division- 73, No.83, New
Ferrance Road, Pattalam, Chennai-12.

Respondent(s)



PRAYER Writ Petition filed under Article 226 of Constitution of India for issuance of Certiorarified Mandamus, to call for the records pertaining to notice issued by the 1st respondent in Letter No. 5289915 / UD VI (2)/ 2023- 2, dated 18.03.2024 issued to the petitioner and quash the same as illegal, unconstitutional and unreasonable and consequently direct the 2nd and 3rd respondents restrained from taking any coercive steps against the petitioner forthwith.

For Petitioner(s): Mr. G.V. Sridharan

For Respondent(s): Mr. M.Rajendran,
Agp For R1
Mr. E.C. Ramesh
Standing Counsel For R2 and R3

ORDER

(Order of the Court was made by J.Nisha Banu J.)

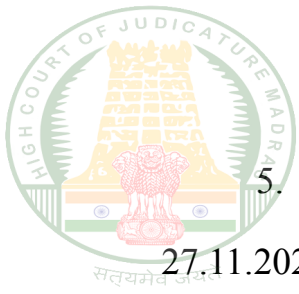
This writ petition has been filed challenging the impugned notice issued by the 1st respondent in Letter No. 5289915 / UD VI (2)/ 2023- 2, dated 18.03.2024 as the same is illegal, unconstitutional and unreasonable and consequently direct the 2nd and 3rd respondents restrained from taking any coercive steps against the petitioner forthwith.



2. The case of the petitioner is that she is the absolute owner of the property bearing door No.35/61B, Ammai Ammal Street, Puliyanthope, Perambur Village, Chennai measuring to an extent of 1000 sq.ft. In a portion of the said property, a building with ground + first floor was constructed by her father and she is residing there with her family members. According to the petitioner, her neighbour by name A.Nehruraj gave a false complaint before the respondents 2 and 3 alleging that the petitioner has carried out an unauthorised construction in the said property. Subsequently, the first respondent issued the impugned notice and following the same, the respondents 2 and 3 are taking steps to lock and seal the property. Hence this writ petition.

3. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the first respondent and the learned Standing Counsel appearing for the 2nd and 3rd respondent.

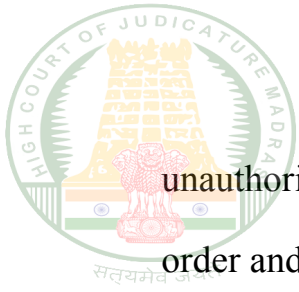
4. A perusal of the records shows that, earlier the petitioner filed a writ petition in W.P.No.33189 of 2023 before this court to forbear the 2nd and 3rd respondents from interfering with the building put up by her in the subject property by way of locking and sealing, pending disposal of the Special revision petition filed by her under Section 80 (a) & 80(a)(3) of the Tamil Nadu Town and Country Planning Act before the first respondent.



5. The above said writ petition was disposed of by an order dated 27.11.2023, directing the first respondent to dispose of the revision petition filed by the petitioner dated 26.07.2023, after giving opportunity to the petitioner, within eight weeks from the date of receipt of the order. Till such time, the respondents 2 and 3 were restrained from taking any coercive steps against the petitioner.

6. Pursuant to the above said order passed by this court, the revision petition filed by the petitioner was considered by the first respondent and after affording opportunity of hearing to the petitioner, the impugned order has been passed, granting 3 months time to the petitioner to obtain necessary planning permission for the building, as per the Tamil Nadu combined Development and Building Rules 2019, after rectifying the defects, if any, in the said building. The petitioner was also informed that on expiry of the said period of 3 months time, the authorities concerned shall proceed with further action against the building, if the petitioner fails to comply the above direction. This impugned order came to be passed on 20.03.2024.

7. The petitioner, without taking any steps to get appropriate planning permission for the building, in order to comply with the above said direction, after a period of nearly 16 months, has filed the present writ petition to quash the impugned order. Admittedly, the building has been constructed



unauthorisedly. Therefore, we find no reason to interfere with the impugned order and the writ petition is liable to be dismissed as it has no merits.

WEB COPY

8. Accordingly, this writ petition is dismissed. There shall be no order as to costs. Connected miscellaneous petition is closed.

(J.N.B.J.) (M.J.R.J.)
01.08.2025

MST

Internet: Yes

Index: Yes/No

Neutral Citations: Yes/No

1. The Secretary To Government,
Government Of Tamil Nadu
Housing And Urban Development,
Secretariat, Chennai-09.

2. Greater Chennai Corporation
Rep By Its Commissioner,
Ripon Building, Chennai-03.

3. Greater Chennai Corporation
Rep By Its Executive Engineer Zone-
6, Division- 73, No.83, New
Ferrance Road, Pattalam, Chennai-12.



WEB COPY

WP No.18013 OF 2



J.NISHA BANU, J.
AND
M.JOHIRAMAN, J.

MST

W.P.No.18013 of 2025

01.08.2025