



WEB COPY

WP.No.18917 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2025

CORAM

THE HONOURABLE MRS. JUSTICE J.NISHA BANU

AND

THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

W.P.No.18917 of 2025

and

W.M.P.No.21195 of 2025

Kasturi,
D/o Mr.V.Kugathas
residing at No.106, Ascare Road,
Postal Code K4MOM7, Manotick, Onatario, Canada
represented by her Power Agent,
Mr.V.Kugathas,
Flat No.9, Door No.61, Golden Homes,
Ambattur Industrial Estate Road,
Ana Nagar Westre Extension,
Chennai - 600 101

...Petitioner

Vs.

1. The Government of Tamil Nadu,
rep. by its Additional Secretary (Technical)
Housing and Urban Development Department,
Fort St.George,
Chennai - 600 009.
2. The Zonal Officer,
Zone-VIII, Division-103,
Greater Chennai Corporation,
Chennai - 600 030.
3. The Executive Engineer,
Zone-VIII, Greater Chennai Corporation,
No.36-B/12-B, Pulla Avenue,
Shenoy Nagar, Chennai - 600 030.



WP.No.18917 of 202:



4. The Assistant Executive Engineer,
Unit-22, Old Division-100, New Division-103,
No.36-B/12-B, Pulla Avenue,
Shenoy Nagar, Chennai - 600 030.

5. Dr.Geetha Devadas,
W/o Dr.P.Devadas Manoharan
Y-148, Anna Nagar,
Chennai - 600 040.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Certiorari Mandamus to call for the records pertaining to the order dated 01.04.2025 of the first respondent passed in letter No.957983/UD 8(1)/2025-1 and to quash the same and to direct the 1st respondent to hear the Special Revision filed by the petitioner afresh in the light of the grounds raised by giving an opportunity of hearing to the petitioner.

For Petitioner : Mr.V.C.Selvasekaran

For Respondents : Mr.M.Venkateswaran,Spl.G.P.

ORDER

(The order of the Court was made by J.Nisha Banu,J.)

This Writ Petition has been filed challenging the order dated 01.04.2025 passed by the first respondent, rejecting the revision petition filed by the petitioner.

2.(i) The case of the petitioner is that the respondent Corporation



issued Stop Work Notice dated 28.09.2015 to the petitioner's vendor. The respondent Corporation issued Lock and Sealing & Demolition notice on 08.10.2015 to the petitioner's vendor and thereafter, issued De-occupation notice dated 12.05.2016.

(ii) Subsequently, the petitioner purchased the property at Plot No.4575-B, Door No.Y-225, 6th Main Road, Anna Nagar, Chennai-600 040 measuring an extent of 1010 sq.ft together with building thereon, comprised in T.S.No.30/2, from his vendor by Deed of Sale dated 03.02.2023 and registered as Document No.632 of 2023 in the office of SRO, Anna Nagar, Chennai.

(iii) The respondent Corporation issued show cause notice dated 01.02.2024 to the petitioner to de-occupy the premises. On 02.02.2024, Special revision under section 80-A of TamilNadu Town and Country Planning Act, 1971, was filed by the petitioner before the 1st respondent. Thereafter, in W.P.No.3215/2024, this Court directed the Corporation to issue revised Lock and Sealing notice to the petitioner.

(iv) Subsequently, this Court, vide order dated 26.07.2024 in W.P.No.12304/2024, directed the Corporation to conduct enquiry and to take action as against the 5th respondent building based on the representation of the petitioner. After conducting enquiry, the Corporation passed an order on 18.11.2024 stating that further action will be taken as



against the 5th respondent building which is in process.

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(v) On 23.12.2024, the respondent Corporation issued notice to the petitioner indicating the deviation to the approved plan. The petitioner preferred a revision against the said notice to the 1st respondent on 03.02.2025. The Corporation issued Lock and Sealing order to the petitioner on 04.02.2025. The 1st respondent rejected the statutory revision filed by the petitioner under Section 80A of the Town and Country Planning Act, without notice or personal hearing to the petitioner on 01.04.2025. Hence, the present writ petition.

3. Heard the learned counsel for the petitioner, the learned Special Government Pleader appearing for the 1st to 4th respondents and perused the materials available on record.

4. It is seen from the records that initially, stop work notice was issued by the respondent Corporation to the petitioner's vendor on 28.09.2015 and on 08.10.2015, Lock & Sealing & Demolition notice was issued issued by the respondent Corporation to the petitioner's vendor. De-occupation notice was also issued to the petitioner's vendor on 12.05.2016. However, subsequently, the petitioner had purchased the property from the vendor on 03.02.2023 by way of Sale Deed. After enquiry, De-occupation notice was issued to the petitioner on 01.02.2024. The Corporation had issued Lock and Sealing order to the petitioner on 04.02.2025. The 1st



WP.No.18917 of 202:



respondent also rejected the statutory revision filed by the petitioner under Section 80A of the Town and Country Planning Act.

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5. In view of the above stated position, we are not inclined to entertain this writ petition. The 1st to 4th respondents are directed to take enforcement action in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. Accordingly, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[J.N.B.,J.] [M.J.R.,J.]

14.07.2025

vsi

Speaking order/Non-speaking order

Neutral Citation:Yes/No

To

1. The Government of Tamil Nadu,
rep. by its Additional Secretary (Technical)
Housing and Urban Development Department,
Fort St.George,
Chennai - 600 009.
2. The Zonal Officer,
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