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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-06-2025

CORAM

**THE HONOURABLE MRS JUSTICE J. NISHA BANU
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

WP No 19505 of 2025

And

WMP Nos. 21799 and 21800 of 2025

C. Ravi
S/o. Chandranathan
W-79, 8th Street,
West Anna Nagar Extension
Chennai 600 101

...Petitioner

-Vs-

1. The Commissioner,
Greater Chennai Corporation
Chennai

2. The Executive Engineer
Greater Chennai Corporation
Zone – VII
No.536, Chennai Thiruvalluvar High Road,
Ambattur,
Chennai- 600 053

3. The Assistant Engineer
Greater Chennai Corporation
Zone -7, MTH Road,
Chennai- 600 053

...Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution to issue a WRIT OF CERTIORARIFIED MANDAMUS by calling for the entire records of the 2nd Respondent vide Impugned Notice dated 09/05/2025 vide NOTICE NO: REGIONCENTRAL/TPENF/701/2025 and quash the same as void and illegal and consequentially restrain the Respondents from lock and seal the Building of the Petitioner at Door No.1213, West End Colony, 17th Street, Anna Nagar West extension, Chennai -600 101 and pass appropriate orders.

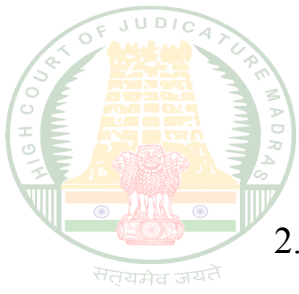
For Petitioner : Mr.T S Baskaran

For Respondents : Mr D.B. R. Prabhu, Standing counsel

ORDER

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

This Writ Petition has been filed to issue a WRIT OF CERTIORARIFIED MANDAMUS to call for the entire records of the 2nd Respondent vide Impugned Notice dated 09/05/2025 vide NOTICE NO: REGIONCENTRAL/TPENF/701/2025 and quash the same and consequentially restrain the Respondents from locking and sealing the Building of the Petitioner at Door No.1213, West End Colony, 17th Street, Anna Nagar West extension, Chennai -600 101.

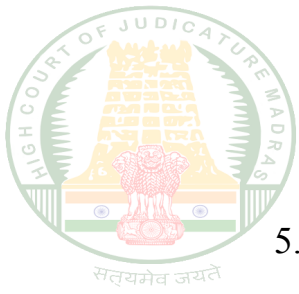


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2. It is averred in the writ petition that the petitioner is the absolute owner of the property at Plot No. 1213, comprised in S.Nos 147/1 Part and 148/3 Part, New T.S.No.110 in approved scheme known as Anna Nagar Western Extension Scheme, Mogappair Village, Ambatur Taluk, Thiruvallur District, having purchased it vide registered Sale Deed dated 15/11/2019 vide Doc No.5767 of 2019 on the file of SRO Konnur. He intended to put up new construction. So he obtained valid Building Permission and Planning Permission from the 2nd Respondent/Greater Chennai Corporation on 24/06/2023 for demolition and reconstruction.

3. The said Construction work commenced in October 2023, adhering to the sanctioned plan for ground, first, and second floors. Although minor deviations included a 2 ³/₄-foot extension of the ground-floor roof (sunshade) to cover car parking and similar extensions on upper floors, the Petitioner asserts that setbacks and living areas complied fully with the approved plan.

4. On 06/06/2024, the 3rd Respondent/Assistant Engineer issued a notice seeking building plan approval. The Petitioner promptly submitted the approved plan and explained the negligible deviations, including the sunshade extension. The 3rd Respondent raised no further objections post-submission.



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5. On 23/05/2025, the petitioner found a notice affixed on the door of the building and said notice was dated 09/05/2025 from the 2nd Respondent/Executive Engineer, directing demolition of "unauthorized constructions" without specifying deviations. The notice referenced an earlier Locking/Sealing notice dated 14/06/2024, which the petitioner never received. Despite submitting a detailed reply on 26/05/2025, offering to rectify any proven violations, the 2nd Respondent proceeded to lock/seal the building without further communication.

6. The learned counsel for the petitioner contends that:

- i. The impugned notice is ultra vires for failing to detail deviations or follow due process.
- ii. The 2nd Respondent acted arbitrarily by ignoring his reply and not granting an opportunity to rectify minor deviations.
- iii. The locking/sealing action violates principles of natural justice, as no prior notice or hearing was provided.

7. The learned counsel for the petitioner seeks quashing of the impugned notice and seeks restraint on locking/sealing actions, arguing that



the construction is as per the approved plan.

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8. Mr.D.B.R.Prabhu, learned Standing counsel appearing for the respondents would submit that no action has been taken in the subject building after order of this court dated 28.05.2025. He would further submit that necessary inspection will be conducted to verify as to whether the construction is as per the planning permission or not and thereafter necessary action will be taken in the manner known to law.

9. Heard.

10. It is seen that this court by order dated 28.05.2025, restrained the respondents from initiating coercive action. Since it is asserted by the learned counsel for the petitioner that the construction of the building is as per the sanctioned plan and no notice was issued to the petitioner regarding lock and seal of the building, we direct the respondents 1 to 3 to conduct inspection on the building and if there is any deviation from the sanctioned plan, respondents are directed to issue notice to the petitioner as per the statute and take action in the manner known to law after giving sufficient opportunity to the petitioner to put forth his defence.



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Consequently, connected miscellaneous petitions are closed.

(J.NISHA BANU J.) (M.JOTHIRAMAN J.)
11-06-2025

nvsri



To

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J.NISHA BANU, J.
AND
M.JOTHIRAMAN, J.

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W.P.No.19505 of 2025

11.06.2025