



WEB COPY



W.P.No.19597 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.05.2025

CORAM :

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY
and
THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

W.P.No. 19597 of 2025
and
W.M.P. No.21948 of 2025

Kumaran Hardwars rep. By its Proprietor
Mr.M.Prabakaran

.. Petitioner

VS

1.The Secretary to Government,
Housing and Urban Development
Department,
Government of Tamil Nadu,
Secretariat, Chennai.

2.The Commissioner of Corporation,
Greater Chennai Corporation,
Zone VII, No.535, CTH Road,
Ambattur, Chennai – 600 053.

3.The Executive Engineer,
Greater Chennai Corporation,
Zone VII, Thiruvallur High Road,
Ambattur, Chennai – 600 053.

4.The Assistant Executive Engineer,
Greater Chennai Corporation,
Zone VII, Thiruvallur High Road,
Ambattur, Chennai – 600 053.

.. Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus forbearing the respondents 2 to 4 or anybody on their behalf from initiating any coercive action with regard to subject property situated at Aravind Plaza, Door No.9, Mogappair West 3rd Main Road, Mogappair West, Chennai – 600 037 will the disposal of the appeal filed under Section 80-A of Tamil Nadu Town and Country Planning Act before the first respondent.

For Petitioner : Mr.B.Vijay

For Respondents : Mr.P.Balathandayutham,
Special Government Pleader
for R1
Mr.D.B.R.Prabhu,
Standing Counsel for R2 to R4

ORDER

(Made by SENTHILKUMAR RAMAMOORTHY, J.)

By this writ petition, the petitioner seeks a direction to restrain the respondents 2 to 4 from taking coercive action in respect of the property described in the petition. By alleging that the petitioner had undertaken unauthorized construction, the third respondent issued a lock and seal and demolition notice on 07.05.2025 and de-occupation notice on 16.05.2025. The



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petitioner challenged the same by way of special revision under Section 80-A of the Tamil Nadu Town and Country Planning Act before the first respondent on 21.05.2025. The said petition was accompanied by a stay petition.

2. Learned counsel for the petitioner states that the respondents are threatening coercive action without awaiting the outcome of the special revision petition.

3. Mr.P.Balathandayutham, learned Special Government Pleader, accepts notice for the first respondent and Mr.D.B.R.Prabhu, learned standing counsel, accepts notice for respondents 2 to 4.

4. In the above circumstances, this writ petition is disposed of on the following terms:-

(i) the first respondent is directed to consider and dispose of the stay petition accompanying the special revision petition of the petitioner within a period of 15 days from the date of receipt of a copy of this order;



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(ii) Until such time, the respondents are restrained

from initiating coercive action in respect of the petitioner's property.

No costs. Consequently, connected miscellaneous petition is closed.

[S.K.R.,J.] [T.V.T.S.,J.]
29.05.2025

Index:Yes/No
Neutral Citation:Yes/No
mmi/ssm

To

- 1.The Secretary to Government,
Housing and Urban Development
Department,
Government of Tamil Nadu,
Secretariat, Chennai.
- 2.The Commissioner of Corporation,
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- 3.The Executive Engineer,
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