



W.P.No.25055 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 24.07.2025

C O R A M

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

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1. B.Ashok Kumar
S/o Late Balu
2. B.Deivanai,
W/o Late Balu
Both are residing At No 6 8th Street,
Bharathi Nagar, Korukkupet,
Chennai 600 021

.. Petitioners

Versus

1. The Commissioner
The Greater Chennai
Corporation, Ribbon Buildings,
Chennai 600 002
2. The Assistant Engineer
Zone 4, No 266 T.H. Road, Chennai 600 021
3. The Executive Engineer
Division 1 Hill Nagar, Tsunami Housing Board
Chennai 600 008
4. K. Kumar
S/o Kuppusamy No 8/19, 8th Street,
Bharathi Nagar, Korukkupet,
Chennai 600 021



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Prayer: Writ Petition is filed under Article 226 of the Constitution, praying for issuance of a Writ of Mandamus, to direct the respondents 1 to 3 to remove the illegally put up the lock and seal to the petitioner's property situated at No.6, 8th Street, Bharathi Nagar, Korukkupet, Chennai-600 021 as per the petitioner's representation dated 25.02.2025.

For Petitioner(s): Mr.M.Thamizhavel

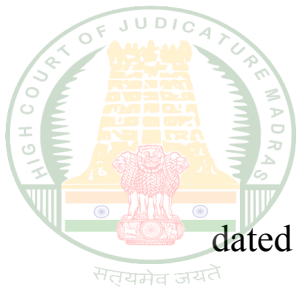
For Respondent(s): Mr.Mani Bharathi St.Counsel
for R1
Mr.G.Sivakumar for R3

ORDER

(By J.Nisha Banu,J.)

This Writ Petition has been filed, praying for issuance of a Writ of Mandamus, to direct the respondents 1 to 3 to remove the lock and seal illegally put up to the petitioner's property situated at No.6, 8th Street, Bharathi Nagar, Korukkupet, Chennai-600 021 as per the petitioner's representation dated 25.02.2025.

2. It appears that based on the complaint made by the 4th respondent stating that the petitioner herein has constructed his building illegally, the official respondents inspected the building and issued stop work notice

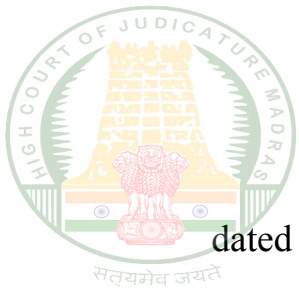


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dated 27.08.2021, calling upon the petitioner to submit approved plan. As no reply came from the petitioner, the entire building has been treated as unauthorized one and further action has been taken by issuing lock & seal and demolition notice dated 25.10.2021 to the petitioner and later de-occupation notice dated 28.03.2022 was also issued. Aggrieved by the same, the petitioner has come forward with the present writ petition.

3. The learned counsel for the petitioner would contend that the total built up area is only 400 sq.ft., for which, no planning permit is required as per the provisions of the Tamil Nadu Town and Country Planning Act, 1971 and the respondents 1 to 3 illegally put up lock and seal to the petitioner's property and despite the representation dated 25.2.2025 made by the petitioner, no action was forthcoming from the respondents 1 to 3 for removal of lock and seal put up by them.

4. The learned Standing counsel for respondents 1 to 3 filed a counter and submitted that the 4th respondent herein filed a writ petition in W.P.No.23751 of 2021, which was disposed of by this Court, vide order



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dated 21.10.2024, directing the official respondents to take action on his representation in accordance with law and pursuant to this order, the respondents 1 to 3 proceeded with the matter. He would contend that irrespective of the extent of land, as per the provisions of the Tamil Nadu Combined Development and Building Rules, 2019, planning permission has to be necessarily obtained. He would also submit that despite notice dated 27.08.2021 as the petitioner has not responded, the entire building was treated as unauthorized one and put up lock and seal and also issued demolition notice dated 25.10.2021 and de-occupation notice dated 28.03.2022 to the petitioner and without responding to the notices, the petitioner has filed the present writ petition, which is liable to be dismissed.

5. Considering the submissions made by the learned counsel on both sides and taking note of the fact that the petitioner has not responded to any of the notices, this Court, without delving into the merits of the case, directs the petitioner to give reply to the above said notices within a period of four weeks from the date of receipt of a copy of this order and on such reply given by the petitioner, the respondents 1 to 3 shall consider the same and



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take action in accordance with law, after affording an opportunity to the petitioner as well as the 4th respondent.

6. With the above direction, this Writ Petition is disposed of. No costs.

(J.N.B.J.) (M.J.R,J.)
24.07.2025

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Index: Yes / No

Internet: Yes / No

To

1. The Commissioner

The Greater Chennai Corporaiton, Ribbon Buildings,
Chennai 600 002

2. The Assistant Engineer

Zone 4, No 266 T.H. Road, Chennai 600 021

3. The Executive Engineer

Division 1 Hill Nagar, Tsunami Housing Board
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