



WEB COPY

WP No. 20469 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-04-2025

CORAM

**THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM
AND
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

WP No. 20469 of 2024

B.Teepikha

Petitioner(s)

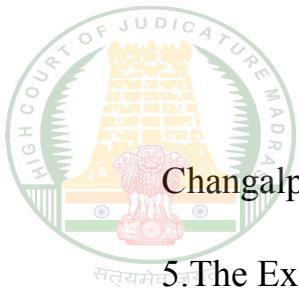
Vs

1.The Secretary to Government,
Housing and Development Department,
Secretariat, Chennai 600 009.

2.The Director,
Directorate of Town And Country
Planning, 2nd, 3rd, and 4th Floor, C and
E Market Road, Koyambedu,
Chennai 600 107.

3.The Deputy Director,
District Town and Country Planning,
No.13, Varatharajar Street,
Vedhachalam Nagar,
Chengalpattu District.

4.The Commissioner,
Chengalpattu Municipality,



Chengalpattu 603 001.

5.The Executive Office,
Chengalpattu Municipality,
Chengalpattu 603 001.

6.Mr.C.Barath,

Respondent(s)

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PRAYER

directing the 1 to 5 respondents to consider the petitioner's representation dated 20.03.2024, and to stop unauthorized construction by the 6th respondent on his property, measuring to an extent of 97.5 Sq. meters, comprised in old survey no.642, New survey no.642/2, situated 4th Ward, 9th Block, Vadukar Street @ Kalainar Karunanithi Street, Chengalpattu Town and Chengalpattu.

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For Petitioner(s): Mr.S.Anburaja

For Respondent(s): Mr.E.Veda Bagath Singh Spl GP
For R1 to R3 & R5
Mr.P.Srinivas, For R4
Mr.S.Ruban Prabu For R6

ORDER

(Order of the Court was made by S.M.Subramaniam J.)

The writ of mandamus has been instituted to direct the respondents 1 to 5 to consider the petitioner's representation dated 20.03.2024, and to stop unauthorized construction being carried out by the 6th respondent on his



property, measuring to an extent of 97.5 m², comprised in Old Survey No.642,

New Survey No.642/2, situated in the 4th Ward, 9th Block, Vadukar Street @

Kalainar Karunanithi Street, Chengalpattu Town.

2. With reference to the allegation set out in the present writ petition, the Commissioner, Chengalpattu Municipality filed counter affidavit. The relevant paragraphs reads as under:

“4. In regard to the complaint of the petitioner in paragraphs 6 and 7 the respondent herein denies the said statements. It is submitted that, firstly there is no parent wall in the site of the petitioner and what is available is only the incomplete columns that are put up at the boundary itself. The 6th respondent is already having a house in his site with the building plan sanction of the year 1993 in BA. No.55/1993 dated 19.05.1993. In addition to the said structure, the 6th respondent has put up an additional structure with RCC columns and roof alone without any floor or side covering in the front and side of his Building, in the nature of a car parking shed or a structure of similar nature. The said structure does not have any flooring



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or side wall.

5. On receipt of the further complaints of the petitioner, the 6th respondent was issued with the notices under Section 135(1) of the Tamil Nadu Urban Local Bodies Act, 1998 for the unauthorized additional construction. There is no multi-storey construction by the 6th respondent as claimed by the petitioner in her affidavit. Only a open structure without any side walls and with columns and RCC roof has been constructed in the manner of a car shed. But under the Act and Rules, the same would be an additional structure and it cannot be put up without an approval. Therefore, appropriate action will be taken against the same.

6. It is humbly submitted that this Respondent will take further action against the unauthorized developments carried out by the 6th respondent by following up the notice already issued under Section 135 (1).”

3. In view of the fact that notice has already been issued by the authority under Section 135(1) of Tamil Nadu Urban Local Bodies Act, 1998, the



respondents are directed to pursue all further actions by following the procedure as contemplated under the Act. The said exercise is directed to be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order.

4. With the above directions, the Writ Petition stands disposed of. No costs.

(S.M.SUBRAMANIAM J.)(K.RAJASEKAR J.)

22-04-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

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Housing And Development
Department, Secretariat, Chennai 600
009.

2.The Director,
Directorate Of Town And Country
Planning, 2nd 3rd, And 4th Floor, C
And E Market Road, Koyambedu,
Chennai 600 107.

3.The Deputy Director,
District Town And Country Planning,
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District.

4.The Commissioner,
Chengalpattu Municipality,
Changalpattu 603 001.

5.The Executive Office,
Chengalpattu Municipality,
Chengalpattu 603 001.

6.Mr.C.Barath,
S/o.Mr.Chellamuthu, Door No.32 /13
F, Kk Street, Natham Chengalpattu
603 001.



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