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W.A.No.21413 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

and

THE HONOURABLE MR. JUSTICE R.SAKTHIVEL

W.P.No.21413 of 2019

and W.M.P.Nos.20614, 20618 and 35010 of 2019

Cambridge Matriculation School
Krishnagiri Road
Hosur 635 109
Krishnagiri District
Rep. by its Correspondent / Principal
Tmt. D.Shameemunnisa
W/o.Dadabhai.

... Petitioner

Vs.

1. The State of Tamil Nadu
Rep. by its Secretary to Government
Housing and Urban Development Department Secretariat
Fort St. George
Chennai 600 009

2. The Additional Secretary (Technical)
Housing and Urban Development Department
Secretariat
Fort St. George
Chennai 600 009



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3. The Commissioner,
Directorate of Town and Country Planning
No.807, Anna Salai
Chennai 600 002.

4. The District Collector,
Krishnagiri District
Krishnagiri.

5. The Member Secretary
Hosur New Town Development Authority
No.25/2, Nethaji Road
Hosur 635 109
Krishnagiri District

6. The Chief Educational Officer
Krishnagiri District
Krishnagiri.

7. G.Ramesh,

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned order issued by the 2nd respondent in Letter No.15997/UD4(1)/2014-5 dated 16.04.2019 and the consequential impugned order issued by the 5th respondent in Na.Ka.No.118/2017/O.Pu.Na.Va.Ku dated 16.07.2019 and to quash the same and consequently directing the official respondents to pass appropriate orders granting permission to the petitioner school building in accordance with law and the Government Orders in force.

For Petitioner : Mr.R.Viduthalai
for S.Nedunchezian



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For Respondents : Mr.R.Kumaravel
Addl. Govt. Pleader - R1 to R4

Mr.V.Jayaprakash Narayanan - R5

Mr.R.Neethi Perumal
Government Advocate - R6

Mr.S.Ayyathurai - R7

JUDGMENT

M.S.RAMESH, J.
and
R.SAKTHIVEL, J.

As against the proceedings initiated under Section 56 and 57 of the Town and Country Planning Act, sealing the premises of petitioner school, an appeal was preferred under Section 80A of the Act, on 25.08.2014. Through the impugned order dated 16.04.2019, the appeal was rejected only on the ground that the school was already granted three months time for obtaining planning permission for the building and other licence and permissions and they had not utilized the time granted for rectifying the deviations. This order is put under challenge in the present Writ Petition.



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2. When the proceedings for lock and seal was taken on 04.08.2014, it was earlier challenged before this Court in W.P.No.21385 of 2014, in which the Coordinate Bench of this Court had granted liberty to the petitioner to file an appeal within one week through the order dated 20.08.2014. Pursuant to the liberty, the appeal was also filed within the stipulated period. Several grounds have been raised in this Writ Petition, challenging the validity of the impugned order. However, since the appeal was rejected only on the ground that the petitioner school did not avail the time granted for rectification, this Court is of the view that the Government could be directed to reconsider the various grounds raised in the appeal. Since we are remanding the matter back to the authorities, we refrain from rendering our views on the grounds raised in the Writ Petition.

3. Accordingly, the impugned order dated 16.04.2019 is set aside. The matter is remitted back to the 1st respondent herein, who shall reconsider all the grounds raised by the petitioner, after giving them due opportunity. Opportunity shall also be given to the respondents 5, 6 and



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7 herein before final orders are passed. The 1st respondent shall pass such final orders atleast within a period of three (3) months from the date of receipt of a copy of this order.

4.The Writ Petition stands disposed of accordingly. No costs.
Consequently, the connected miscellaneous petitions are closed.

[M.S.R, J.]

[R.S.V, J.]

03.11.2025

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Index: Yes / No

Neutral Citation

Speaking / Non Speaking

To.

1.The Secretary to Government
Housing and Urban Development Department Secretariat
Fort St. George
Chennai 600 009

2. The Additional Secretary (Technical)
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