



WEB COPY

WP No. 23239 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-07-2025

CORAM

THE HONOURABLE MRS JUSTICE J. NISHA BANU

AND

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

W.P. No.23239 of 2025

and W.M.P.No.26097 of 2025

C.Subramanian,
S/o.Mr.Chockalingam,
C/o Hotel Sonas,
Door No.1, 11th street,
Nandanam Extension,
Chennai-600 035.

Petitioner(s)

Vs

- 1.Government of Tamil Nadu,
Rep by its Secretary to Government,
Housing and Urban Development
Department, Chennai-600 009.
2. Directorate of Town and Country Planning
Rep by its Commissioner,
2nd, 3rd and 4th floor,
E & C Market Road,
Koyambedu, Chennai-600 107.



3. Local Planning Authority,
Rep. by its Member Secretary,
No.10, Williams Road,
Trichy-620 001.

4. Trichirapalli Corporation,
Rep. by its Commssioner,
No.58, Bharathidasan Salai,
Cantonment, Trichy 620 001.

Respondent(s)

PRAYER The Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus forbearing the respondents from initiating any coercive action of locking and sealing of the building put up at T.S.No.3/2, Block No.04, New Ward No.11, Door No.75E, Salai Road, Thillainagar, Trichy-620 018, pursuant to the notice dated 03.01.2025 and 09.06.2025 issued under Section 56 of the Tamil Nadu Town and Country Planning Act pending determination of the petitioner's application for regularisation by way of revised plan under Section 113-C of the Town Planning Act dated 21.12.2019 with the 2nd respondent and Section 80A revision petition dated 27.01.2025 with the 1st respondent forming part of Civil Appeal Nos.6847-6848 of 2022 on the file of the Hon'ble Supreme Court with regard to the premises put up at the aforementioned property.

For Petitioner(s): Mr.R.Mohan

For Respondent(s): Mr.M.Venkateswaran
Special Government Pleader
For R1 & R2

**ORDER****(Order of the Court was made by J.NISHA BANU, J.)**

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The present Writ Petition is filed forbearing the respondents from initiating any coercive action of locking and sealing of the building put up at T.S.No.3/2, Block No.04, New Ward No.11, Door No.75E, Salai Road, Thillainagar, Trichy-620 018, pursuant to the notice dated 03.01.2025 and 09.06.2025 issued under Section 56 of the Tamil Nadu Town and Country Planning Act pending determination of the petitioner's application for regularisation by way of revised plan under Section 113-C of the Town Planning Act dated 21.12.2019 with the 2nd respondent and Section 80A revision petition dated 27.01.2025 with the 1st respondent forming part of Civil Appeal Nos.6847-6848 of 2022 on the file of the Hon'ble Supreme Court with regard to the premises put up at the aforementioned property.

2. When the matter is taken up, the learned Special Government Pleader appearing for the respondent 1 and 2 has brought to the notice of this Court that in a similar writ petition in W.P.No.21571 of 2025 dated 18.06.2025, this Court has observed as under:

"4. The learned Standing Counsel appearing for the second respondent would submit that the matter regarding regularization under Section 113-C of the Town and Country Planning Act, is pending before the Hon'ble Supreme Court. He would further draw the attention of this Court to the order passed by the Hon'ble First Bench of this Court in W.P.No.9725 of 2017, dated 27.07.2023 [K.Perumal Vs. The State of Tamil Nadu, rep. by the Secretary to



Government and Others], wherein it is held as follows:-

“3. We have disposed of other writ petitions, with an observation that, “if subsequently after the orders are passed by the Apex Court and the petitioners have any remedy open, they are entitled to agitate the same afresh. In that event, all contentions are kept open”. We have observed that the parties may take steps pursuant to the judgment of the Apex Court.

4. In case, after the judgment of the Apex Court, if it is found that the fifth respondent is not entitled for regularisation, then the petitioner may agitate afresh.”

5. In view of the fact that the matter regarding regularisation is seized of by the Hon'ble Supreme Court, the only remedy open to the petitioner and the respondents is to await the orders of the Hon'ble Supreme Court. The petitioner as well as the respondents are entitled to agitate the issue afresh, after the orders are passed by the Hon'ble Supreme Court, on the subject matter. Till then, the respondents are directed not to take any coercive steps against the petitioner.”

3. In the light of the above, the present Writ Petition is also disposed of on the above lines. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

(J.NISHA BANU J.) (M.JOTHIRAMAN J.)

07.07.2025

(1/2)

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