



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-07-2025

WEB COPY

CORAM

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

**WP No. 26522 of 2025 and
WMP Nos.29814 and 29815 of 2025**

1. M.Ramlal

S/o.B.Mangalaram, Residing At The
First And Second Floor Of D. No. 412,
Bazaar Road, Varadharajapuram,
Ambathur, Chennai- 53.

2.Champ Devi

W/o.M.Ramlal, Residing At The First
And Second Floor Of D. No. 412,
Bazaar Road, Varadharajapuram,
Ambathur, Chennai- 53.

3.R.Manoharlal

S/o.M.Ramlal, Residing At The First
And Second Floor Of D. No. 412,
Bazaar Road, Varadharajapuram,
Ambathur, Chennai- 53.

4.M.Papudevi

W/o.R.Manoharlal, Residing At The
First And Second Floor Of D. No. 412,
Bazaar Road, Varadharajapuram, Petitioner(s)
Ambathur, Chennai- 53.

Vs

1. The Secretary



Housing And Urban Development
Department, Secretariat,
Chennai- 600 009.

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2.Executive Engineer/ Zone- Vii
C.T.H.Road, Ambattur, Greater
Chennai Corporation, Chennai- 053.

3.Assistant Executive Engineer/ U-19,
Greater Chennai Corporation, Chennai.

4.Assistant Engineer/ Dn-85
Greater Chennai Corporation, Chennai.

Respondent(s)

PRAYER: Writ Petition filed under Article 226 of Constitution of India to issue a writ Mandamus directing the first respondent to dispose off the statutory appeal filed under section 80-A of the Town and country planning Act, 1971 dated 14.07.2025 and forbear the respondents 2 to 4, their subordinates or anybody acting through them from any manner proceed with the locking , sealing or demolition of the premises of the petitioners herein bearing D.No.412 and comprised in S.No. 198/1A1A1A1A1A, T.S. NO. 46, M.T.H. Road (Bazaar road), Ward- B, Block No.40, Varadarajapuram, Ambattur, Chennai- 600 053 pursuant to the notice dated 02.02.2024.

For Petitioner(s): Mr. Mukunth, Senior Counsel
for Mr. N.Damodaran

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

Mr. D.B.R.Prabhu,
Standing Counsel For R2 To R4.



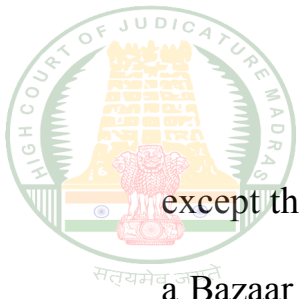
ORDER

(Order of the Court was made by J.Nisha Banu J.)

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This writ petition has been filed to direct the first respondent to dispose of the statutory appeal filed under section 80-A of the Town and country planning Act, 1971 dated 14.07.2025 and forbear the respondents 2 to 4, their subordinates or anybody acting through them from any manner proceed with the locking, sealing or demolition of the premises of the petitioners herein bearing D.No.412 and comprised in S.No. 198/1A1A1A1A1A, T.S. NO. 46, M.T.H. Road (Bazaar road), Ward- B, Block No.40, Varadarajapuram, Ambattur, Chennai- 600 053 pursuant to the notice dated 02.02.2024.

2. It is the case of the petitioners that the first and third petitioners were granted planning permission on 30.11.2021 for putting up a shop on the rear side of the ground floor and for putting up residential accommodation in the entire first floor and in the front portion of the second floor in D.No.412, T.S.No.46, MTH Road (Bazaar Road), Ward-B, Block No.40, Varadharajapuram, Ambattur Taluk, Tiruvallur District. While constructing the ground floor, they found it very difficult to run the jewellery mart business on the rear side of the building alone, as per the approval granted and further they have no other place to run the business and no other building for their living,



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except the above building. According to the petitioners, since the entire road is a Bazaar road and no one leaves space for car parking, they were forced to put up constructions in the front portion of the said premises, meant for car parking and two wheeler parking and in such circumstances, there is a small deviation from the approved plan. In the said street, there exists number of commercial establishments and the respective business people have been running their respective business in a small way, in a small extent of land and it is not possible or feasible to leave any space for car parking and in fact, none of them have left any such space.

3. The respondents issued a lock and seal notice on 02.02.204 to the occupiers/owners directing them to secure the building in accordance with sanctioned plan. The petitioners approached the respondents and submitted their oral explanation that there are no major violations and accepting the same, the respondents had not taken any action. Subsequently, the respondents again threatened the petitioner to comply with the demand made on 02.02.2024. Hence, the petitioners have filed an statutory appeal on 14.07.2025 before the first respondent seeking exemption from minor violation in the construction and the same is pending. However, the respondents 2 to 4 threatened the petitioners that they would lock and seal the premises by 16.07.2025. Hence this writ petition.



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4. Heard the learned counsel for the petitioner, learned Special Government Pleader appearing for the first respondent and the learned Standing Counsel appearing for the respondents 2 to 4.

5. Considering the limited scope of prayer, without expressing any opinion on merits, we are inclined to direct the first respondent to dispose of the appeal filed by the petitioners dated 14.07.2025 under Section 80-A of the Town and Country Planning Act, on its own merits and in accordance with law, within a period of 8 weeks from the date of receipt of the copy of the order.

6. With the above directions, this writ **petition** is disposed of. There shall be no order as to costs. Connected miscellaneous petitions are closed.

(J.NISHA BANU J.) (M.JOTHIRAMAN J.)
18-07-2025

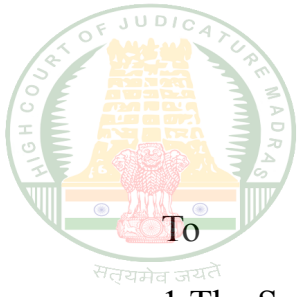
MST

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



1.The Secretary
Housing And Urban Development
Department, Secretariat, Chennai- 600
009.

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J.NISHA BANU J.



WEB COPY

WP No. 26522 of 2



**AND
M.JOTHIRAMAN J.**

MST

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