



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-07-2025

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

**W.P. No.25919 of 2024
and W.M.P.No.28291 of 2024**

P.Ranganathan

Petitioner

vs

1.The Secretary to Government,
Government of Tamil Nadu,
Housing and Urban Development
Department,
Secretariat, Fort St.George,
Chennai-600 009.

2.The Chennai Metropolitan
Development Authority,
Represented by its Member Secretary,
Thalamuthu Natarajan Building,
Gandhi Irwin Road, Egmore,
Chennai-600 008.

3.The Commissioner,
Punitha Thomaiyarmalai Panchayat
Union, Chitlapakkam,
Chennai-600 064.



4.The President,
Kovilambakkam Panchayat (1st Grade)
Kovilambakkam, Chennai-600 129.

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5.Mrs.Ramani

6.Mr.K.Ponnusamy

7.Mrs.Raja Rajeswari

8.Mr.R.Rajini & Mrs.R.Bashira Begum,

9.Mrs.Zulfikar Hussaina

RESPONDENTS

PRAYER: The Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 3rd respondent to take necessary action on the order of the 2nd respondent in Letter No.EC/S-II/18841/2022 dated 02.01.2023 regarding to take enforcement action on the construction made by the 5th to 9th respondent in an apartment situated in Survey No.389/4A, Plot No.36, measuring an extent of 3,130 Sq.Ft. 2nd Street, Viduthalai Nagar, Sunnambhu Kolathur Village (New No.123, Madipakkam Part II) Chennai-600 129.

For Petitioner(s): M/s.Sankar Ramasamy

For Respondent(s): Mr.M.Rajandran
Additional Government Pleader for R1
Mr.R.Thamaraiselvan for R2

ORDER

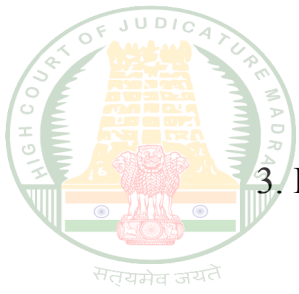
(Order of the Court was made by J.NISHA BANU, J.)

The present Writ Petition is filed for issuance of a Writ of Mandamus directing the 3rd respondent to take necessary action on the order of the 2nd respondent in Letter No.EC/S-II/18841/2022 dated 02.01.2023 regarding to take enforcement action on the construction made by the 5th to 9th respondent in the



apartment situated in Survey No.389/4A, Plot No.36, measuring an extent of 3,130 Sq.Ft. 2nd Street, Viduthalai Nagar, Sunnambhu Kolathur Village (New No.123, Madipakkam Part II) Chennai-600 129.

2. The case of the petitioner is that he is the absolute owner of a residential flat measuring 450 Sq.Ft. located on the first floor, with an undivided share in the land measuring 270 sq.ft. situated at No.153, 2nd Street, Viduthalai Nagar, Sunnambu Kolathur Village. According to the petitioner, the 9th respondent, who is the daughter of Wasiem, the promoter of the aforementioned apartment, occupies Door No.4/412, Flat No."F" on the 1st floor and she has violated the rules and regulations of the Tamil Nadu Town and Country Planning Act, 1971 by constructing an additional structure in the terrace area without permission from the co-owners or the appropriate authorities. According to the petitioner, the respondents 5 to 8 have also similarly violated the rules and regulations of the said Act by constructing unauthorized extensions in the apartment and their aforesaid actions have led to serious concerns regarding structural stability of the building, which is now in a dilapidated condition. In this regard, the petitioner has submitted a representation dated 19.12.2022 to the respondents 2, 3, and 4 to take necessary action, based on which the 3rd respondent, issued notice to the 4th respondent, directing to take appropriate action, but thereafter no action was taken. Therefore, the petitioner is constrained to file the aforesaid writ petition.



3. Heard the learned counsel for the parties and the official respondents.

4. Appearance of the private respondents is dispensed with as to the nature of the order is going to be passed in the present writ petition.

5. Considering the facts and circumstances of the case, this Court, without expressing anything on the merits of the case projected by the petitioner, directs the respondents 2, 3 and 4 to consider the representation of the petitioner dated 19.12.2022, after affording opportunity of personal hearing to the petitioner, private respondents and take action in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

6. This Writ Petition stands disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

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

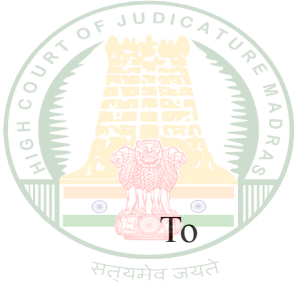
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MST

Index: Yes/No

Internet: Yes

Neutral Citation: Yes/No



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