



W.P.No.28294 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 31.07.2025

C O R A M

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

W.P.No.28294 of 2025 and
W.M.P.No.31701 of 2025

S.Shanmuga Sundari

... Petitioner

-VS-

1. State of Tamil Nadu,
Rep. by its Additional Chief Secretary to Government,
Housing and Urban Development Department,
Secretariat, Chennai-600 009.
2. The Commissioner,
Greater Corporation of Chennai,
Ribbon Buildings, Chennai-600 003.
3. The Executive Engineer, Zone-11
Greater Chennai Corporation,
No.33, Arcot Road, Bhuvanewari Nagar,
Valarasarawakkam, Chennai-600 087.
4. The Assistant Executive Engineer,
Unit-32, Greater Chennai Corporation,
Poonamallee High Road, Maduravoyal,
Near Yerikkarai Bus Stop, Chennai-95.
5. The Assistant Engineer,
Division No.147, Greater Chennai Corporation,
Poonamallee High Road, Maduravoyal,
Near Yerikkarai Bus Stop, Chennai-95

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, forbearing the respondents 2 to 5 and their men, agents and subordinates from in any manner taking any coercive action including locking and sealing of the petitioner's house building and interfering with the petitioner's occupation of the building situated at Plot Nos.4A & 4B, measuring 487.5 sq.ft. at Door No.90/188, Perumal Koil Street, comprised in Survey No.424/1, Maduravoyal Madura, Alapakkam Village, Ambattur Taluk, Tiruvallur District till 02.11.2025 the date on which six months' time granted by the 1st Respondent/Government will expire as per his order in Letter No.8593747/UD 5(1) /2024-2 dated 27.01.2025.

For Petitioner : Mr.K.Premkumar
For R1 : Mr.M.Venkateswaran
Spl. Govt. Pleader
For R2 to R5 : Mrs.S.Vanitha Joice Rani

ORDER

(By J.Nisha Banu,J.)

The Writ Petition has been filed to forbear the respondents 2 to 5 and their men, agents and subordinates from in any manner taking any coercive action including locking and sealing of the petitioner's house building and interfering with the petitioner's occupation of the building situated at Plot Nos.4A & 4B, measuring 487.5 sq.ft. at Door No.90/188,



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Perumal Koil Street, comprised in Survey No.424/1, Maduravoyal Madura,

Alapakkam Village, Ambattur Taluk, Tiruvallur District till 02.11.2025 the date on which six months' time granted by the 1st Respondent/Government will expire as per his order in Letter No.8593747/UD 5(1) /2024-2 dated 27.01.2025.

2. Mr.M.Venkateswaran, learned Special Government Pleader takes notice for R1. Mrs.S.Vanitha Joice Rani, learned Standing Counsel takes notice for R2 to R5. By consent, the Writ Petition is disposed of at the stage of admission itself.

3. It is the case of the petitioner that based on the complaint of her neighbour by name one P.Venkatesan, she was called upon to produce a copy of the approved building plan, which was duly produced. Thereafter, the respondents 3 to 5 issued a lock and seal notice on 16.12.2023 on the ground that the petitioner has constructed the building without any plan approval. Against the said order, the petitioner filed a Revision Petition with the stay petition on 20.12.2023 before the 1st respondent and the said Revision Petition was disposed by the 1st respondent pursuant to the order



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of this Court, by granting three months' time to rectify the violations. It is further case of the petitioner that since the mother of the petitioner was diagnosed with breast cancer, the petitioner was not able to rectify the defects. In the meanwhile, the Revised Building Plan Application submitted to the 2nd respondent was rejected by the 2nd respondent, against which, the petitioner preferred an appeal petition before the 1st respondent, in which the 1st respondent, by an order dated 27.01.2025, granted six months' time to her to rectify the deviations. It is the stand of the petitioner that though the order was passed as early as on 27.01.2025, the order was communicated to the petitioner only on 02.05.2025 and therefore, it was pleaded that the expiry of six months should be reckoned from 02.05.2025 and not from 27.01.2025. In that event, the petitioner has time till 02.11.2025 to vacate the premises and therefore, the petitioner sought for a direction to the respondents 2 to 5 not to take any coercive steps against her till 02.11.2025.

4. Heard the learned counsel on either side and perused the material documents available on record.

5. We do not find much force in the argument advanced by the



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learned counsel for the petitioner. After filing the appeal petition before the 1st respondent, the petitioner ought to have followed up the fate of the petition. Though sufficient time was granted by the 1st respondent to rectify the deviations, the petitioner has not utilized the said opportunity properly by wrongly presuming herself that six months' time would commence from the date of receipt of the order, which is nothing, but an attempt to protract the further course of action. Therefore, we are of the view that the petitioner is not entitled to the relief sought for in this petition.

6. Accordingly, this Writ Petition is dismissed. It is for the respondents to proceed further in accordance with law. No costs. Consequently, connected Miscellaneous Petition is closed.

(J.N.B.J.) (M.J.R,J.)
31.07.2025

Index: Yes / No
Internet: Yes / No
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J.NISHA BANU, J.



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AND

M.JOTHIRAMAN, J.

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To:

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State of Tamil Nadu,
Housing and Urban Development Department,
Secretariat, Chennai-600 009.
2. The Commissioner,
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Ribbon Buildings, Chennai-600 003.
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