



WEB COPY



W.P.No.29413 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2025

CORAM

THE HONOURABLE MR.JUSTICE **M.SUNDAR**
and
THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.No.29413 of 2022
and
W.M.P.No.28745 of 2022

Akshaya Apartments Association
Rep. by its Secretary
Mr.AVB.Praveenraj

... Petitioner

VS.

1. The Commissioner
Greater Chennai Corporation
Rippon Buildings
Chennai-600 003.
2. The Zonal Officer Zone 7
Greater Chennai Corporation
Chennai - Thiruvallur National Highway
(Opposite to Dunlop Playground)
Ambattur
Chennai-53.
3. The Chairman
Tamil Nadu Housing Board
CMDA Complex, E & C Market Road
Koyambedu

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Chennai-600 107.

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4. Manager Marketing and Services
Tamil Nadu Housing Board
Anna Nagar Division
Anna Nagar West Extension
Chennai-600 101.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus, to call for the entire records connected with the notice bearing reference Na.Ka.No.5733/2022 dated 19.10.2022 issued by the 2nd respondent for removal of security gate installed at the entrance of block Number 49-A, Welcome Colony, Anna Nagar issued by the 2nd respondent and quash the same as illegal, unconstitutional and ultravires and consequently, direct the 3rd respondent to execute the 16 ft service road located at the entrance of block number 49-A, Welcome Colony, Anna Nagar, Chennai-101 as undivided share to all the residents or as Gift to the petitioner Association in a manner known to law.

For Petitioner	:	Mr.S.Gokulkannan for Mr.A.K.Rajaraman
For Respondents	:	Mr.A.Arunbabu Standing Counsel for R1 & R2

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Mr.D.Veerasekaran
for R3 & R4

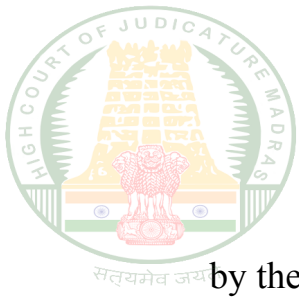
ORDER

[Order of the Court was made by **HEMANT CHANDANGOUDAR.J.,**]

The captioned Writ Petition (hereinafter referred to as ‘WP’, for the sake of brevity, convenience, and clarity) has been filed challenging the notice dated 19.10.2022 issued by the second respondent, whereby the petitioner was directed to remove the gate that had been installed, allegedly denying access to a pathway belonging to the second respondent Corporation.

2. The petitioner’s primary contention is that the impugned notice was issued without considering the reply submitted by the petitioner, therefore, the same is invalid in law and liable to be set aside.

3. Mr. A. Arunbabu, learned Standing Counsel for respondents 1 and 2, on instructions, submits that the impugned notice dated 19.10.2022 will be withdrawn and that a fresh notice under Section 128(1)(b) of the Tamil Nadu Urban Local Bodies Act, 1998 (Act 9 of 1999) (hereinafter referred to as the ‘TNULB Act’, for the sake of convenience and clarity) will be issued



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by the competent authority.

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4. In light of the submission made by the learned Standing Counsel for respondents 1 and 2, the impugned notice dated 19.10.2022 is treated as withdrawn. This Writ Petition stands disposed of, with liberty to the Greater Chennai Corporation (GCC) to initiate action as permissible under Section 128 of the TNULB Act. In the event that a fresh notice is issued under Section 128(1)(b) of the TNULB Act, all rights and contentions of the petitioner are preserved. Consequently, W.M.P. No. 28745 of 2022 is closed. There shall be no order as to costs.

(M.S.J.) (H.C.J.)
04.07.2025

Index : Yes / No
Neutral Citation : Yes / No
Speaking / Non-speaking
mk

To

1. The Commissioner
Greater Chennai Corporation
Rippon Buildings
Chennai-600 003.

2. The Zonal Officer Zone 7

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Greater Chennai Corporation
Chennai - Thiruvallur National Highway
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**M.SUNDAR, J.,
and
HEMANT CHANDANGOUDAR, J.,**

mk

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