



WP No.31771 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.08.2025

CORAM

THE HON'BLE MR.MANINDRA MOHAN SHRIVASTAVA,

CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

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S.Vijayan

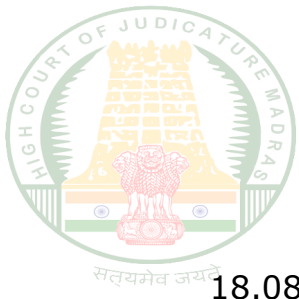
.. Petitioner

-vs-

1. The Executive Engineer,
Zone-VII, Greater Chennai Corporation,
No.536, Chennai Thiruvalluvar Highway
Road, Ambattur, Chennai 600 053.
2. The Assistant Executive Engineer,
Unit-20, Zone-VII, Greater Chennai Corporation,
No.536, Chennai Thiruvalluvar Highway
Road, Ambattur, Chennai 600 053.
3. The Junior Engineer,
Division-90, Zone-VII,
Greater Chennai Corporation,
No.536, Chennai Thiruvalluvar Highway
Road, Ambattur, Chennai 600 053.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents not to take any coercive steps until disposal of the representation dated



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18.08.2025 and consequently direct the respondents to allow the petitioner to submit a plan under the Cottage Industries Act as per the representation dated 18.08.2025.

For Petitioner : Mr.D.S.Rajasekaran
for Mr.K.Siva Subramanian

For Respondents : Mr.D.B.R.Prabhu
Standing Counsel

* * * * *

ORDER

(Order of the Court was made
by the Hon'ble Chief Justice)

The de-occupation notice issued by the respondents on 06.05.2025 is subjected to challenge on the ground that though belatedly the petitioner has submitted a revised application under Section 49 of the Tamil Nadu Town and Country Planning Act, 1971, as provided under Section 56(3) of the said Act, the same is not likely to be considered and he may suffer the consequences of de-occupation notice.

2. We find that the petitioner has chosen to file the application in terms of Section 56(3) of the said Act only on 18.08.2025, though the



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de-occupation notice was issued wayback on 06.05.2025. It is submitted that as the de-occupation notice has already been issued, now the respondents are refusing to accept the petitioner's application.

3. We are of the view that all these matters constitute a ground to challenge the de-occupation notice issued by the respondents, against which there is a remedy of filing a statutory revision under Section 80-A of the Act.

Therefore, we are not inclined to entertain this petition and dismiss the same with liberty to the petitioner to approach the appropriate revisional authority for filing the revision petition. There shall be no order as to costs.

(MANINDRA MOHAN SHRIVASTAVA, CJ.)(SUNDER MOHAN, J.)
20.08.2025

Index : Yes/No

Neutral Citation : Yes/No

sra



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THE HON'BLE CHIEF JUSTICE
AND
SUNDER MOHAN, J.

(sra)

To

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