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W.P.No.32183 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2025

CORAM

**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE K.RAJASEKAR**

W.P.No.32183 of 2024

and

W/.M.P.No.34943 of 2024

Mahidhara Central Owners Welfare Association (MCOWA)

(Regd.No.SRG/Chengalpattu/349/2019)

#52 Kondavakkam Village, Valarpuram Post,
Sriperumbudur Taluk, Kancheepuram District,
Tamil Nadu - 602 105

Represented by its Secretary

Mr.S.Sunil

... Petitioner

Vs.

1. The District Collector - Kancheepuram,
RMFW + GX3, Tiruvannamalai,
Kanchipuram Road,
Thaiyar Kullam, Kanchipuram,
Tamil Nadu 631 501.
2. Directorate of Town and Country Planning,
Represented by Director,
33, Kotrampalayam Street, 33A,
Kotrampalayan Street, Opp. to Labour Court,
Chinna Kanchipuram, Ennaikaran,
Kanchipuram, Tamil Nadu - 631 501.
3. Block Development Officer - Sriperumbudur,



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Sarala Nagar, Kanchipuram, SH - 110,
Kodambakkam Sriperumbudur Road,
Kanchipuram - 602 105.

4. Valarpuram Panchayat Office,
Represented by its President,
No.3, Bhajanai Kovil Street, 53,
Valarpuram P.O., Sriperumbudur Taluk,
Kanchipuram District - 602 105.
5. Polyhose Enterprises LLP,
Represented by its Authorized Signatory,
Plot Nos.487 and 506, Sector V,
Mahidhara Central Layout,
Kondavakkam Village, Valarpuram Panchayat,
Sriperumbudur Taluk, Kancheepuram District,
Tamil Nadu - 602 105.

Having registered office at:
Polyhose Towers, 8th Floor, 386,
Mount Road, Guindy, Chennai - 600 032.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, seeking for an issuance of writ of mandamus, directing the respondent 1 to 4 to take immediate and appropriate action against the respondent No.5 in accordance with the proceedings of the respondent no.3 dated 30.08.2024 and consequentially restrain the respondent no.5 from proceeding with the construction in violation of the approved building plan at Plot Nos.487 and 506 in Sector V, Mahidhara Central Layout, comprised in Survey Nos.50/15A and 50/7A3 at Kondavakkam Village, Valarpuram Panchayat, Sriperumbudur Taluk, Kancheepuram District.

For Petitioner : Ms.S.Asmini



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For Respondents

: Mr.M.Alagu Goutham
Government Advocate for R1 & R2
: Mr.Karthik Jaganath
Government Advocate for R3
: Mr.T.D.Selvan Babu for R5
: R4-Not ready in notice

ORDER

(Order of the Court was made by the Hon'ble **S.M.SUBRAMANIAM, J.**)

The writ of mandamus has been instituted to direct the respondents 1 to 4 to take immediate and appropriate action against the 5th respondent in accordance with the proceedings of the 3rd respondent dated 30.08.2024 and consequently restrain the 5th respondent from proceeding with the construction in violation of the approved building plan at Plot Nos.487 and 506 in Sector V, Mahidhara Central Layout, comprised in Survey Nos.50/15A and 50/7A3 at Kondavakkam Village, Valarpuram Panchayat, Sriperumbudur Taluk, Kancheepuram District.

2. The petitioner association filed a complaint regarding unauthorised construction of a portion of the building and deviations by the 5th respondent.

3. Mr.Karthik Jaganath, the learned Counsel appearing on behalf of



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the 3rd respondent would submit a copy of the Lock and Seal dated 08.01.2025 issued by the Block Development Officer, Panchayat Union, Sriperumbudur.

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4. Therefore, the complaint filed by the petitioner association has been acted upon and Lock and Seal order was issued by the competent Authority of Sriperumbudur Panchayat Union. The authorities conducted an inspection and found unauthorised construction of a portion of the building and deviations in the subject property.

5. Mr.T.D.Selvan Babu, the learned Counsel appearing on behalf of the 5th respondent would submit that a revision under Section 80 (A) of the Tamil Nadu Town and Country Planning Act, 1971 has been filed before the Government.

6. May that as it be, this Court is of the considered opinion that there is no impediment for the respondents 1 to 4 to proceed all with further actions by following due process as contemplated under the Act and Rules. This Court has not expressed any opinion on merits. Therefore, the Authorities are empowered to take all further actions on merits and in



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accordance with law.

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Accordingly, the Writ Petition stands **disposed of**. No costs.

Consequently, connected miscellaneous petition is closed.

[S.M.S,J.] [K.R.S,J.]

20.02.2025

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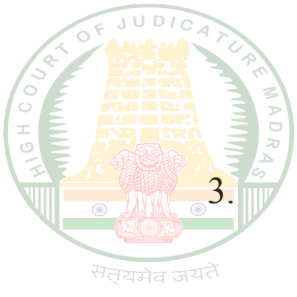
Index: Yes/No

Speaking order/Non-speaking order

Neutral Citation: Yes/No

To

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3. Block Development Officer - Sriperumbudur,
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