



WEB COPY



W.P.No.33741 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.09.2025

CORAM :

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

WP No.33741 of 2025

and WMP Nos.37861 and 37863 of 2025

1. K.P.Kalicharan
S/o.Dr.K.Parthasarathy

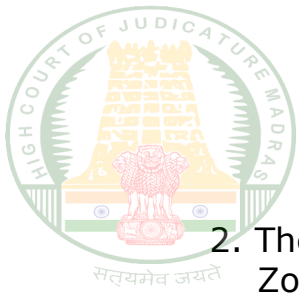
2. K.P.Vignesh
S/o.Dr.K.Parthasarathy,

Rep. by General Power of Attorney
P.Mala, W/o.Dr.K.Parthasarathy,
No.24, ROB 5th Street,
Halls Garden, Royapettah,
Chennai-600 014.

Petitioner(s)

Vs

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



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2. The Executive Engineer
Zone-9, Greater Chennai Corporation,
No.4, 4th Cross Street, Lake Area,
Nungambakkam, Chennai-600 034.

3. The Assistant Executive Engineer
Greater Chennai Corporation, Zone-9,
Unit 27, Division-115, No.4,
4th Cross Street, Lake Area,
Nungambakkam, Chennai-600 034.

Respondent(s)

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus forbearing the respondents from interfering with the peaceful possession and enjoyment of the petitioners' property situated at Old Door No.16, New Door No.24, Rasoon Omara Bahadur 5th Street, Royapettah, Chennai-600 014, pending disposal of the statutory appeal filed by the petitioners u/s 80A of the Town and Country Planning Act, 1971.

For Petitioner(s): Mr.Vikram Veerasamy
for Mr.Salai Varun

For Respondent(s): Mr.K.Karthik Jagannath,
Government Advocate
for R1

Mr.D.B.R.Prabhu,
Standing Counsel
For R2 and R3



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ORDER

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

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Heard.

2. This petition has been filed by the petitioners seeking protection by invoking extraordinary jurisdiction of this court under Article 226 of the Constitution of India.

3. Learned counsel for the petitioners would submit that a notice issued earlier on 21.3.2025 requiring the petitioners to comply with the original planning permission has been challenged by the petitioners by filing a revision petition under Section 80A of the Tamil Nadu Town and Country Planning Act, 1971, along with an application seeking stay of the notice. The application has remained pending without any decision, even though the revision petition was filed on 23.4.2025.

While the petitioners were awaiting decision on their application, the authorities of the respondent Corporation are threatening the action of lock and seal of the premises.



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4. Learned counsel for the Corporation would submit that, as there is no interim order, the Corporation is justified in proceeding to take appropriate steps, including lock and seal of the premises.

5. Once the petitioners have approached the revisional authority by filing revision along with an application seeking stay of the notice dated 21.3.2025, the application for stay was required to be decided one way or the other. However, the same has remained pending and, in the meantime, the respondent Corporation is proceeding to lock and seal the premises.

6. In these circumstances, without commenting upon the merits of the case of the revision petition which is pending before the revisional authority, we are inclined to dispose of this petition with a limited direction that the respondent authority shall not proceed to take any coercive action towards lock and seal of the premises for a period of six weeks from today. The revisional authority shall do well to decide the stay application one way or the



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other within the said period of six weeks.

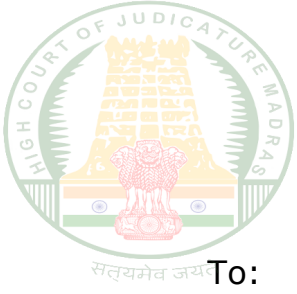
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7. A copy of this order shall be placed before the revisional authority within a period of one week from today, failing which the protective umbrella shall lose its efficacy.

Writ petition is disposed of accordingly. There shall be no order as to costs. WMP No No.37861 of 2025 is allowed subject to payment of separate set of court fee within two weeks. The other interim application stands closed.

(MANINDRA MOHAN SHRIVASTAVA, CJ) (G.ARUL MURUGAN,J)
03.09.2025

Index : Yes/No
Neutral Citation : Yes/No
sasi



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To:
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State of Tamil Nadu,
Housing and Urban Development
Department, Fort St. George,
Secretariat, Chennai-600 009.
2. The Executive Engineer
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THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN,J.

(sasi)

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