



WEB COPY

WP No. 44831 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-11-2025

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THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

WP No. 44831 of 2025

E.Ramamoorthy

Petitioner(s)

Vs

1. The Commissioner,
Greater Chennai Corporation,
Ripon Building, Chennai 600003.

2.The Zonal Officer,
Corporation Office Zone 15,
Sholinganallur, Chennai 600 119.

3.Murali,

Respondent(s)

PRAYER

Directing the 2nd respondent to consider the representation dated 17/06/2025 and to take expedite action to demolish the illegal structure put up by the 3rd respondent in No.10, Padavettamman Temple Street, Kudimiyandi Thoppu, Panaiyur, Chennai 600 119 and grant such other relief as deem fit to this Court under the circumstance of the case.

For Petitioner(s): M/s.P.Thinesh
G.D.Pon Prabhakaran
P.Babitha
N.Suresh Babu

For Respondent(s): Mr.G.T.Subramanian (RR1 & 2)



ORDER

The petitioner is the neighbour of the 3rd respondent. His grievance is that the 3rd respondent is putting up a construction of ground + 2 floors over his property without any authorization, and also that the construction, which is underway, has violated the norms, which would be applicable in case of an approved building. He considered the entire building as an unauthorized one. He brought the same to the notice of the respondents 1 and 2 by way of a representation dated 17.06.2025. As nothing come out of it, he is before this Court by way of a writ of mandamus.

2. I heard Mr.G.D.Pon Prabakaran for the petitioner and Mr.G.T.Subramanian for the R1 and R2.

3. In the light of the order that I am going to pass, the notice on the 3rd respondent is dispensed with.

4. Mr.G.D.Pon Prabakaran reiterated the contentions in the affidavit.

5. Mr.G.T.Subramanian points out that the 3rd respondent has obtained an approval for raising the construction on 10.10.2025. This shows the approval has been granted, after the constructions has commenced. The reason why the



2nd respondent kept quiet despite the construction proceeding without an authorized plan is bewildering.

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6. Be that as it may, as on today, the 3rd respondent is strengthened by an order of approval dated 10.10.2025. This does not put an end to this story.

7. Mr.G.T.Subramanian states that post the representation of the petitioner, the 2nd respondent has inspected the premises and has found a serious setback violation.

8. Mr.Pon Prabakaran states that the work still continues unabated.

9. Mr.G.T.Subramanian states that it is proposed to issue a stop work notice on the 3rd respondent.

10. This Court hopes that the stop work notice would be issued before the completion of the construction.

11. Since the action is proposed to be taken on the illegal construction, the statement of Mr.G.T.Subramanian that action will be initiated against the unauthorized construction is recorded.



12. An undertaking given by the 2nd respondent, who is also present in Court, is recorded. Mr.G.T.Subramanian states that action will be initiated and culminated as provided under the Tamil Nadu Town and Country Planning Act.

13. In case no action is initiated, it is open to the petitioner to take appropriate action including Contempt of Court.

14. The plea of Mr.Pon Prabakaran that no action will be taken is not surprising as the facts reveal that the construction has commenced and an approval that was obtained later.

15. In case no action is initiated, it is made clear that the respondent 1 and 2 would also be liable.

16. Registry is directed to mark a copy to the 1st respondent so as to enable him to monitor the action of the 2nd respondent.

17. This writ petition is disposed of. No costs.

24-11-2025

Index: Yes/No
Speaking /Non-speaking order
Neutral Citation : Yes/No
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V.LAKSHMINARAYANAN J.

Maya

To

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