



WP No.44169 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.11.2025

CORAM

THE HON'BLE MR.MANINDRA MOHAN SHRIVASTAVA,

CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE G.ARUL MURUGAN

WP No.44169 of 2025

WMP Nos.49296 and 49297 of 2025

1. J.K.Builders

Rep. By its Partner, J.Salomon,  
No.13, Saraswathipuram 2<sup>nd</sup> Cross Street,  
Chromepet, Chennai 600 044.

2. A.Palanisamy

.. Petitioners

-VS-

1. The Additional Secretary to Government  
(Technical), Housing and Urban Development  
Department, Secretariat,  
Chennai 600 009.

2. The Member-Secretary,  
Chennai Metropolitan Development Authority,  
Gandhi Irwin Road, Egmore,  
Chennai 600 008.

3. The Commissioner,  
Tambaram Corporation,  
Zone-1, Tambaram,  
Chennai 600 075.

.. Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the entire records culminated in the impugned Final Notice ref.Na.Ka.No. 771/20223/F1(M1) dated 04.11.2025 issued by the 3<sup>rd</sup> respondent, and quash the same, and consequently, direct the 3<sup>rd</sup> respondent to accept the revised building plan for regularization from the petitioners by condoning the delay.

For Petitioners : Mr.Najeeb Usman Khan  
For Respondents : Mr.K.Karthik Nagannath  
Govt. Advocate for R-1  
: Mr.P.Srinivas  
Stdg. Counsel for R-3

\* \* \* \* \*

### ORDER

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

Challenge to lock and seal notice is based mainly on the submission that for reasons beyond control of the petitioners, they could not undertake the necessary rectification to remove deviations and now, the authorities have given a notice to lock and seal the premises.



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2. After going through various orders passed by the authorities and thereafter, by this Court on 24.07.2025, it is clear that the petitioners have been granted indulgence more than what they were entitled to. The inspection was conducted on 19.05.2023, which disclosed deviations. Except saying that the petitioners are willing to rectify, the exercise has not been undertaken till date. True it is that, order dated 12.03.2025 of the first respondent was set aside by a Coordinate Bench of this Court in W.P.No.21816 of 2025. However, at the same time, it is relevant to note that the Court set aside that order because it permitted redevelopment without rectifying the deviation with a strong observation that such permission is nothing but allowing continuation of illegal construction. The official respondents were directed to proceed with the matter for rectification of the deviations in respect of which already notices were issued. It was observed that before allowing re-development, the authorities shall ensure that deviations are rectified.

3. What the authorities are now doing is in accordance with the compliance of the orders of the Court.



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4. Therefore, allowing the lock and seal action to be deferred would amount to undoing and nullifying all earlier orders.

5. Petition is, therefore, dismissed. However, it will be open for the Corporation to either itself undertake the rectification or to give one opportunity to the petitioners to do the exercise of rectification. It is made clear that this will be permitted only after lock and seal and not otherwise.

There shall be no order as to costs. W.M.P.No.49296 of 2025 filed by the petitioners to permit them to file a single writ petition stands allowed. W.M.P.No.49297 of 2025 stands closed.

(MANINDRA MOHAN SHRIVASTAVA, C.J.) (G.ARUL MURUGAN, J.)  
14.11.2025

Index : Yes/No  
Neutral Citation : Yes/No

sra



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