



WEB COPY

WP No. 12012 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-03-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

WP No. 12012 of 2026 AND WMP NO. 13111 OF 2026

Immaculate Conception Church
Represented by its Parish Priest

..Petitioner(s)

Vs

1. The Secretary To Government
O/O.Housing and Urban Development
Department,
Secretariat, Chennai 600009.
2. The District Collector
O/o.Kancheepuram District Collectorate
Kancheepuram District.

..Respondent(s)

Calling for the records of the 2nd respondent in Na.Ka.No. 7008/2023-M1 dated 10.11.2025 and quash the same and consequently direct the 2nd respondent to consider and accept the petitioners application for issuance of No Objection Certificate (NOC) in respect of the Multipurpose Hall in Survey No. 171A/1B, situated at R.N.Kandigai Village, Uthiramerur Taluk, Kancheepuram District in accordance with the provisions of the Tamil Nadu Combined Development and Building Rules, 2019 within a time frame to be fixed by this Honble Court.

For Petitioner(s):

Mr.K.V.Muthu Visakan

For Respondent(s):

Ms.Bakkiyalakshmi
Govt.Advocate



Order

This writ petition has been filed, challenging the impugned order dated 10.11.2025 passed by the second respondent, refusing to grant 'No Objection Certificate' to the petitioner for the Multi Purpose Prayer Hall at the address, morefully disclosed in the prayer to this writ petition.

2.The second respondent has rejected the petitioner's request for granting 'No Objection Certificate', based on a report submitted by the Sub Collector, who has stated that 'No Objection Certificate' should not be granted to the petitioner on account of the law and order problem. The petitioner has challenged the impugned order on the ground of violation of principles of natural justice. According to the petitioner, without affording any opportunity of hearing, the impugned order has been passed. The petitioner contends that even before the petitioner could rectify the defects pointed out by the first respondent through its proceedings dated 14.11.2025, the second respondent has passed the impugned order, which according to the petitioner is arbitrary and illegal.

3.Ms.Bakkia Lakshmi, learned Government Advocate accepts notice on behalf of respondents.



4. Admittedly, as seen from the impugned order passed by the second respondent dated 10.11.2025, the petitioner was not afforded any opportunity of hearing before rejecting the petitioner's request for the grant of No Objection Certificate for the proposed Multi Purpose Prayer Hall at the address, morefully disclosed in the prayer to this writ petition. The first respondent had issued the proceedings on 14.11.2025, which is also addressed to the petitioner directing the petitioner to rectify the defects in the proposed building. The petitioner claims before this Court that even before the petitioner could comply with those requirements, the second respondent has passed the impugned order, without waiting for granting sufficient time to the petitioner to satisfy the requirements of the first respondent as pointed out by them in their proceedings dated 14.11.2025.

5. Since the impugned order has been passed without affording any opportunity of hearing to the petitioner and since the contentions of the petitioner as raised in this writ petition have not been considered in the impugned order, this Court is of the considered view that the impugned order has been passed in violation of principles of natural justice and therefore, the same has to be quashed and the matter has to be remanded back to the very same respondent for fresh consideration, on merits and in accordance with law, after affording an opportunity of hearing to the petitioner, within a time frame to be fixed by this Court.



6.This Court is not expressing any opinion on the merits of the respective contentions.

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7.For the foregoing reasons, this writ petition is disposed of and the impugned order dated 10.11.2025 passed by the second respondent is hereby quashed and the matter is remanded back to the second respondent for fresh consideration, on merits and in accordance with law. The second respondent shall issue notice to the petitioner and conduct a proper enquiry, after inspecting the premises, where the proposed Multi Purpose Prayer Hall is constructed, after giving due consideration to the supporting documents produced by the petitioner as well as the contentions of the petitioner and shall pass final orders, on merits and in accordance with law, within a period of 6 weeks from the date of receipt of a copy of this order. Consequently, connected WMP is closed. No costs.

30-03-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

VGA



To

1. The Secretary To Government
O/O.Housing and Urban Development Department,
Secretariat, Chennai 600009.
2. The District Collector
O/o.Kancheepuram District Collectorate
Kancheepuram District.



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ABDUL QUDDHOSE J.

VGA

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