



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-06-2026

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**THE HON'BLE DR JUSTICE G. JAYACHANDRAN
AND
THE HON'BLE MRS.JUSTICE N. MALA**

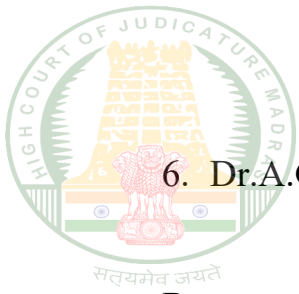
Writ Petition No. 13867 of 2026
and
W.M.P.Nos. 15097 and 15098 of 2026

Dr. Jothi Pramoth

..Petitioner

Vs

1. The Member Secretary
Chennai Metropolitan Development Authority,
Gandhi Irwin Road, Egmore,
Chennai - 600 008.
2. The Commissioner,
Greater Chennai Corporation,
Ripon Building, EVR Periyar Salai, Park Town,
Chennai - 600 003.
3. The District Collector,
Chennai Collectorate,
District Collector Office,
No.62, Rajaji Salai, Fourth Floor,
Singaravelar Maaligai,
Chennai - 600 001.
4. The Tahsildar,
Maduravoyal Taluk Office,
Bharathi Salai Phase-II,
Nolambur,
Chennai - 600 037.
5. Mr.M.Simon Jeyakumar



6. Dr.A.G.Karthikeyan

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari, calling for the records from the file of the first respondent in impugned letter bearing No.EC/C-II/2509/2025 dated 16.02.2026 and quash as illegal and arbitrary.

For Petitioner:

Mr.K.Venkatesan

For Respondents:

Mrs. P. Veena Suresh
Standing Counsel For R1

Mr. B.Sivakollapan
Government Advocate for R3 and R4

No appearance for R2, R5 & R6

ORDER

(Order of the Court was made by Dr.G.Jayachandran J.)

The communication of the Principal Secretary/Member Secretary, Chennai Metropolitan Development Authority (CMDA), dated 16.02.2026, is under challenge in this Writ Petition. The challenge is on the ground that though the petitioner's building was constructed with proper planning permission, a notice calling for an explanation was allegedly issued to the writ petitioner at the instigation of a third party. Due to the petitioner's non-participation in the enquiry, a unilateral decision has been taken declaring that the premises were constructed without authorization and planning permission. Consequently, the Member Secretary, CMDA, has issued the impugned letter requesting the



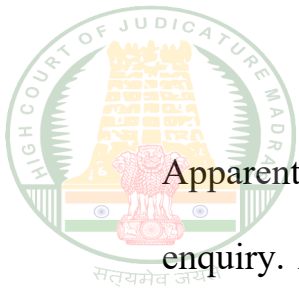
Commissioner, Greater Chennai Corporation, Chennai, to take necessary action to lock and seal the unauthorised construction.

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2. The learned counsel appearing for the petitioner submitted that the impugned communication dated 16.02.2026, is the outcome of proceedings initiated by the Member Secretary, CMDA, vide letter dated 31.12.2025, wherein the petitioner was called for an enquiry on 08.01.2026 at 3.30 p.m., at the office of the Member Secretary / Principal Secretary, CMDA.

2.1. He further submitted that though the letter inviting the petitioner to the enquiry proceedings was dated 31.12.2025, it was signed by the Principal Secretary / Member Secretary only on 06.01.2026, despatched on 08.01.2026, and delivered to the petitioner only on 12.01.2026. Thus, without affording a fair opportunity of hearing, the impugned proceedings was issued for lock and seal. He further submitted that necessary documents have already been produced before the Principal Secretary substantiating that the construction is authorised and therefore, no action is warranted.

3. The learned counsel brought to our notice regarding the date of the proceedings and a copy of the postal tracking/cover, which support the case of the petitioner regarding the belated delivery of the enquiry summons.



Apparently, the petitioner received the summons after the date fixed for the enquiry. As there is no possibility for him to appear and put forth his case for proper adjudication, the subsequent communication dated 16.02.2026, which is impugned in this writ petition must fail.

4. As a result, this Writ Petition stands allowed. Consequently, the connected Miscellaneous Petitions are closed. No costs.

5. The Member Secretary, CMDA, is hereby directed to consider the documents filed by the writ petitioner afresh and pass appropriate orders regarding the alleged unauthorised construction. The petitioner, if he so desires, is permitted to file additional documents within seven (7) days from today. Thereafter, the Member Secretary, CMDA, shall consider the representation and pass appropriate orders within a period of four weeks.

(Dr.G.J.,J.) (N.M.,J.)
16-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

rpl

To

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



2.The Commissioner,
Greater Chennai Corporation,
Ripon Building, EVR Periyar Salai, Park Town, Chennai - 600 003.

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WP No. 13867 of 2



DR.G.JAYACHANDRAN J.
and
N.MALA J.

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