



WEB COPY

W.P.No. 2397 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.02.2026

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH
and
THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER
KUMAR

W.P. No.2397 of 2018
and W.M.P.No.2916 of 2018 & and W.M.P.No.12895 of 2019

A.Sarangan (died)

S.Nicobar

S.Inbaraj

S.Kamalesan

R.Anitha

*(P2 to P5 substituted as LRS of deceased P1
vide order dated 13.12.2023
in WMP No. 32133/23 in WP 2397/18
by JNBJ and NMJ)*

.. Petitioners

VS

1.The Corporation of Chennai
Rep. by Commissioner Rippon Buildings,
Park Town, Chennai - 600 003

2.The Zonal Officer, Zone VI,
Greater Chennai Corporation,
No, 5, Anderson Street,
Ayanavaram, Chennai - 600 023

3.Mrs. Asha Bee

4.The Tahsildar,
Purasawalkkam Perambur Taluk



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Chennai - 600 011.
(R4 impleaded vide order in
WMP 4387/2018 dated 12.3.18
by MVJ & SVNJ)

5.G.Chandrasekaran
(R5 impleaded as per order dated 2.2.2024
in WMP No. 18513/19 in WP 2397/18
by SSSRJ & NSJ)

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of certiorari calling for the records relating to the proceedings of the 2nd respondent herein viz., the order dated 20.12.2017 in M.A.6 Na Ka No.12198/2017, duly cancelling the Planning Permission bearing No.PPA/WDC/04/02948/2011 and Building Permit bearing No. BA/CD04/3251/2011 issued in favour of the petitioner for putting up construction in the property at Door No.2/1 (Old No.5/1) Reddy Colony Street, Ramalingapuram, Chennai – 12 and quash the same.

For Petitioner : Mrs.A.L.Gandhimathi, Senior Counsel
for Mr.AR. Karthik Lakshman

For Respondents : Mr.E.C.Ramesh, Standing Counsel
for R1, R2
Mr.Silambanan, Senior Counsel
for Ms.Kavya Silambanan
for R3,
Mr.V.Ravi,
Special Government Pleader
for R4
R5 – No appearance
Mr.K.Dhananjayan
(Advocate Commissioner)

ORDER
(Made by Dr. ANITA SUMANTH, J.)

The petitioner has challenged the revocation of a planning permission issued to him by the Corporation of Chennai.



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2. We have heard the detailed submissions of

Mrs.A.L.Gandhimathi, for Mr.Karthik Lakshman, for the petitioner, Mr. E.C.Ramesh, learned Standing Counsel for R1, R2, Mr.Silambanan, learned Senior Counsel for Ms.Kavya Silambanan, for R3, Mr.V.Ravi, learned Special Government Pleader, for R4 and Mr.Dhananjayan, Advocate Commissioner. There is no appearance for R5.

3. The petitioner had applied on 16.06.2011 for planning permission in the property at Door No.2/1, (Old No.5/1) Reddy Colony Street, Ramalingapuram, Chennai – 12 ('property'/ 'property in question'). He had been granted such planning permission after institution of writ petition in W.P.No. 19540 of 2011 and W.A.No.2478 of 2013. The planning permission is dated 12.09.2014 and has been issued by the Greater Chennai Corporation, Central Office.

4. While so, the private respondent / R3 appears to have made a complaint before the official respondents on the ground that the property in question is a road.

5. The Corporation authorities made enquiries with the Tahsildar who had responded that as per town sketch, the property in question was used as a street. The petitioner was also issued with a stop work notice in compliance with which he had stopped the construction. The impugned order had thus come to be passed after issuance of a show cause notice on



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the petitioner on the objections of the Tahsildar that patta obtained by the petitioner was fake and that the property in question was used as a street.

6. We have perused the impugned order dated 08.09.2017. It is proceeded by enquiries made by the Tahsildar, who has informed the Corporation authorities that as per town sketch the place was used as a street and that the petitioner has produced patta which is fake.

7. Admittedly, the allegation that the patta is fake, was never put to the petitioner and hence the petitioner has had no opportunity to respond to the same before the Tahsildar. R2 had issued a show cause notice to the petitioner on 08.09.2017, in response to which, by communication dated 05.10.2017, the petitioner has put forth detailed objections, enclosing judgments of the civil court in his support.

8. The impugned order, however, is very cryptic and does not go into any of the contentions raised by the petitioner. The specific contention of the petitioner was that the property has been purchased vide registered deed dated 08.12.1982 from the Namalvarpet Cooperative Society and O.S.No. 1276 of 1983 had been filed by one Vadivelu Mudaliyar seeking to restrain the petitioner from effecting construction and that the litigation had ultimately ended in the petitioner's favour vide judgment in S.A.No. 1765 of 1998.

9. R2 ought to have verified the correctness or otherwise of the



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aforesaid submissions and tested the argument as to whether the property vests in the petitioner's favour. However, the conclusion is based wholly on letter dated 1.9.2016 from the Thasildar wherein he states that the patta is fake and there is no reasoning set out in the impugned order and none of the arguments as put forth by the petitioner, have been adverted to, let alone met.

10. For the aforesaid reasons, impugned order is set aside as we find it bereft of reasoning. R2 shall issue notice to petitioners, R3 and R5, hear them, consider their arguments and any other documents that they may produce and pass orders afresh on the complaints filed by the private respondents, in accordance with law. Let this exercise be completed within a period of twelve (12) weeks from date of receipt of this order.

11. The writ petition is allowed with the directions as above. No costs. Connected miscellaneous petitions are closed.

[A.S.M, J.] [M.S.K, J.]
04.02.2026

Index:Yes/No
Neutral Citation:Yes
ssm

To
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2.The Regional Officer, Region VI,
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DR. ANITA SUMANTH,J.
and
MUMMINENI SUDHEER KUMAR,J.

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