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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-11-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE R.RAJESH VIVEKANANTHAN

WP No. 45601 of 2026

{CNR:HCMA012555832026}

Case QR

S.Gokul, Old No 221/9, New No 268/2, Sri Varisaashwat, Race course Road, Coimbatore South, Coimbatore 641 018

..Petitioner

Vs

1. The Commissioner
   Greater Chennai Corporation,
   Rippon Building, , Chennai 600 003.

2. The zonal Officer, Zone-9,Greater Chennai Corporation, No.4, 4th Cross Street, Lake View Road, Nungambakkam, Chennai.

3. The Executive Engineer, Zone-9Greater Chennai Corporation, No.4, 4th Cross Street, Lake View Road, Nungambakkam, Chennai-34.

4. B. Usha
   W/o Balasundraram, No 1182,
   TNHB Colony, 97th Lane, Velachery, Chennai 600 042

..Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for a Writ of Certiorarified Mandamus calling for the records of the Third Respondent culminating in the impugned communication bearing Ref. No.Z.O.IX.C.No./1891/2026 dated 11.08.2026 quash the same, and

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consequently direct the First Respondent to cause a fresh and independent consideration of the petitioners representation dated 12.09.2025 by a senior competent officer other than the Third Respondent, after furnishing the relevant sanctioned records and affording an effective hearing to the petitioner and the Fourth Respondent.

For Petitioner : Mr. Muthuchharan Sundresh
For Respondents : Ms.R.V.Rukmani
For R.V. Gayatri
Standing Counsel For R 1-3

Order

(Order of the Court was made by S.M.Subramaniam J.)

The present writ petition has been instituted challenging the proceedings issued by the Executive Engineer, Zone-9, Greater Chennai Corporation addressed to the 4th respondent. The Executive Engineer, based on the inspection and survey, identified unauthorised construction / deviation and informed the 4th respondent to correct the deviated portion as per the sanctioned plan and in the event of failure, further action will be initiated under the provisions of the Tamil Nadu Town and Country Planning Act. Since the said proceedings of the Executive Engineer has not been executed, the petitioner has chosen to file the present writ petition.

2. Learned Standing Counsel appearing on behalf of the Greater Chennai Corporation would submit that the petitioner herein earlier filed W.P.No.9159 of 2026 seeking enforcement action to stop the unauthorised

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construction. This Court passed an order on 10.03.2026 directing the Corporation authorities to decide the representation within a period of four weeks. Accordingly, the Corporation has decided the representation and the fourth respondent herein has already preferred a statutory appeal under Section 80A of the Town and Country Planning Act, 1971 before the Government. The said appeal is pending.

3. When that being so, the present writ petition is not entertainable. If at all the petitioner is aggrieved, he is at liberty to implead himself in the appeal pending before the Government and place his contentions. During the pendency of the statutory appeal already instituted under Section 80A of the Act, no writ petition need be entertained and hence the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

(S.M.S.,J.) (R.R.V.,J.)
11-11-2026

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

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To

1. The Commissioner
   Greater Chennai Corporation, Rippon Building, ,
   Chennai 600 003.

2. The zonal Officer, Zone-9,
   Greater Chennai Corporation, No.4,
   4th Cross Street, Lake View Road,
   Nungambakkam, Chennai

3. The Executive Engineer, Zone-9
   Greater Chennai Corporation, No.4,
   4th Cross Street, Lake View Road,
   Nungambakkam, Chennai-34

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S.M.SUBRAMANIAM J.
AND
R.RAJESH VIVEKANANTHAN J.

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