



WEB COPY

WP No. 10000 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-08-2026

CORAM

THE HON'BLE DR JUSTICE G. JAYACHANDRAN

AND

THE HON'BLE MR.JUSTICE E.MANOHARAN

WP No. 10000 of 2026

S.Radhakirshnan

..Petitioner(s)

Vs

1. The Member Secretary
Chennai Metropolitan Development Authority,
Tahala Muthu Natrajan Building,
No 1 Ganbdhi Irwin Raod,
Egmore Chennai 600 008.
2. The Executive Engineer
Zone X, Zonal officer, Zone X
Greater Chennai Corporation,
No 117, N.S. K Salai,
Kodambakkam, Chennai 600 024.
3. The Asst. Executive Engineer /U-30
Greater Chennai Corporation,
No 117 N.S. K. Salai,
Kodambakkam, Chennai 600 024.
4. The Asst. Engineer Division 142
Greater Chennai Corporation,
Zone X, No 2/12 West Jones Road,
Saidapet , Chennai 600 015.
5. M.I. Jaffer Ibrahim

..Respondent(s)



To direct the respondents 2 to 4 to remove the lock and seal made in the premises bearing Old No. 76, New No 4, East Jones Road, Saidpet, Chenani 600 015 on 06.03.2026.

For Petitioner(s): Mrs.C.S.Vedavalli Kumar

For Respondent(s): Mrs.P.Veena Suresh,
Standing Counsel, for R1.
Mr.D.B.R.Prabhu,
Standing Counsel, for R2 to R4.
Mr.J.John for R5.

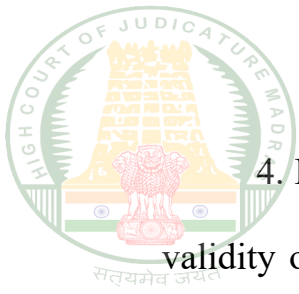
ORDER

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

It is stated that the application of the petitioner, dated 06.03.2024, for regularisation under the Special Scheme would not be considered by the first respondent – CMDA, in view of the pendency of an SLP before the Hon'ble Supreme Court.

2. This Court, in the earlier Writ Petition No.13592 of 2024, by an order, dated 22.05.2024, directed the first respondent to pass orders on merits and in accordance with law on the petitioner's application, dated 06.03.2024, once the issue pending before the Hon'ble Supreme Court is decided.

3. When the matter stood thus, it appears that on 06.03.2026, Lock and Seal notice was issued to the petitioner by the second respondent. Hence, the present Writ Petition, seeking a mandamus, directing the respondents 2 to 4 to remove the lock and seal.



4. Learned counsel appearing for first respondent – CMDA states that the validity of the provision for regularisation under Section 113 (c) of the Tamil Nadu Town and Country Planning Act, 1971, is now under challenge and pending before the Hon'ble Supreme Court. She would also submit that the application of the petitioner cannot be considered under the said Section for the present till the disposal of the SLP before the Hon'ble Supreme Court. However, she would submit that the petitioner can resort to Section 49 of the said Act for getting permission of the building, which was also intimated to the petitioner soon after the order was passed by this Court on 22.05.2024, and, till-date, the petitioner has not made any application under Section 49 for regularisation of the building.

5. Learned counsel for the petitioner, however, denies receipt of any such intimation from CMDA.

6. Taking into consideration certain legal impediment, the application of the petitioner for regularisation could not be processed. Since the scope of availing Section 113 (c) is subject to litigation, we are of the view that the petitioner shall resort to Section 49 and make appropriate application for regularisation before the authority concerned within 15 days from the date of receipt of copy of this order and, on receipt of such application, the authority shall consider the matter on merits and pass appropriate orders within a period of two months. Till then, the effect of Lock and Seal notice, which is impugned in this Writ Petition, shall be kept in abeyance. In other words, the premises is



to be desealed till the disposal of the application of the petitioner for regularisation, if such application is filed within the time prescribed above.

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7. Writ Petition stands disposed of with the above directions. No costs.

(G.J.,J.) (E.M.,J.)
12-08-2026

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

DIXIT

To

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**DR.G.JAYACHANDRAN, J.
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