



WEB COPY



W.P.No.17369 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.17369 of 2026
and W.M.P.No.18645 of 2026

K.Savithri
W/o.G.Karunakaran
No.84, Arimuthu Maistry Street,
Choolai, Chennai- 600 112.

Petitioner

Vs

- 1.The Commissioner
Greater Chennai Corporation,
Ripon Building, Chennai-600 003
- 2.The Regional Deputy Commissioner (Central),
Greater Chennai Corporation
No.36B, 2nd Cross Street
Pulla Avenue, Shenoy Nagar
Chennai-600 030
- 3.The Zonal Officer
Zone VI,
Greater Chennai Corporation
No.158, Strahans Road,
Thiru-Vi-Ka.Nagar,
Chennai-600 012



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4.The Executive Engineer
Zone VI,
Greater Chennai Corporation
No.158, Strahans Road,
Thiru-Vi-Ka-Nagar,
Chennai-600 012

5.The Assistant Executive Engineer
Unit 17, Zone VI,
Greater Chennai Corporation,
No.158, Strahans Road,
Pattalam, Chennai-600 012

6.The Assistant Engineer,
Division 78, Unit 17, Zone VI,
No.158, Strahans Road,
Thiru-Vi-Ka Nagar,
Chennai-600 012.

7.D.Prakash Chand
No.5,Kulandi Gramani Street,
Purasaiwalkam,
Chennai-600 084

Respondent(s)

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorarified mandamus calling for the records relating to the impugned proceedings of the 3rd respondent in Notice No.APP/III/N06/N078/00004/2026 dated 21.01.2026 and quash the same, and consequently direct the respondents not to take any coercive action against the petitioner's property.

For Petitioner(s): Mr.Umashankar
for Mr.AS.Shyam Ganesh

For Respondent(s):Mr.E.C.Ramesh
Standing Counsel
for R1 to R6



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ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

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This writ petition under Article 226 of the Constitution of India has been filed by the petitioner to quash the impugned proceedings of the third respondent dated 21.1.2026 and consequently to direct the respondents not to take any coercive action against the petitioner's property.

2. Learned counsel for the petitioner submitted that the petitioner is the owner of the property in question and she had some financial transaction with the seventh respondent, for which, the petitioner had executed a simple mortgage deed in favour of the seventh respondent. Taking advantage of the general power of attorney, which was executed by fraudulent means, the seventh respondent is attempting to interfere with the petitioner's peaceful possession by initiating multiple proceedings, including a civil suit. Only under the instigation of the seventh respondent, the third respondent has issued the impugned notice. He would submit that a portion measuring 39.32 sq.m was already demolished in compliance with the earlier directions, which was also verified by the Corporation



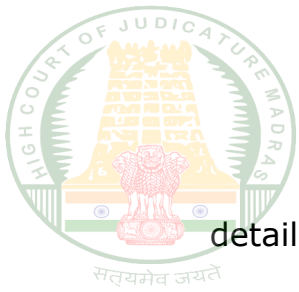
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authorities. However, the impugned notice has been issued without any basis.

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3. Learned counsel for the petitioner further submitted that no inspection was conducted in the presence of the petitioner and no opportunity of hearing was given. The impugned notice is vague and it does not specify the alleged deviations. Since the respondent authorities are now attempting to take coercive action, including lock and seal, without issuing mandatory statutory notice in Form VII thereby depriving the petitioner's statutory remedy under Section 80 of the Tamil Nadu Town and Country Planning Act, 1971, the petitioner has approached this Court by filing the present writ petition.

4. On a perusal of the records, it is seen that before issuance of the impugned notice, on 11.11.2025, the fifth respondent issued notice to the petitioner bringing to her notice that the construction is without obtaining due planning permission or in deviation of the permission granted. Therefore, she was requested to produce the planning permission, building permission and approved plan issued by the competent authority within 7 days. Faced with the said notice, on 12.11.2025, the petitioner had submitted RTI application requesting



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details regarding the planning permission, building permission and plan approval of the property in question. On 13.11.2025, the petitioner has sent a letter to the respondent authorities stating that the original documents are currently in the possession of the seventh respondent and, therefore, the proceedings may be kept in abeyance. On 12.12.2025, the fifth respondent issued notice to the petitioner informing that the building/land in question will be inspected on 15.12.2025 and thereafter, issued the impugned notice calling upon the petitioner to restore the building to its condition before the said development took place within 30 days from the date of receipt of the notice.

5. The contention of the petitioner that the impugned notice was issued without conducting the proper inspection or affording an opportunity of hearing cannot be countenanced. The petitioner has failed to produce any shred of material to substantiate her claim. All that the respondent authorities want is production of planning permission by the petitioner to show that the building is constructed as per the plan. Since the petitioner has failed to submit the documents which were called for under notice dated 11.11.2025, the third respondent has issued the impugned notice dated 21.1.2026 calling



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upon the petitioner to restore the building to its condition before the said development took place. We find nothing wrong in issuing the impugned notice.

6. When this Court asked learned counsel for the petitioner to produce the planning permission before the authority, learned counsel replied that all the documents are with the seventh respondent and she had applied for copies of the documents through RTI application and she is yet to receive the same. He would further submit that let the authorities issue fresh notice.

7. Admittedly, pursuant to the impugned notice, the petitioner has not submitted any reply to the third respondent. More than three months passed from the date of issuance of the impugned notice and the petitioner has filed the present writ petition only on 22.4.2026 stating that on 21.4.2026, two officials from the Chennai Corporation came to the property and asked the petitioner to vacate the premises before 27.4.2026 stating that they proposed to lock and seal the premises on 27.4.2026.



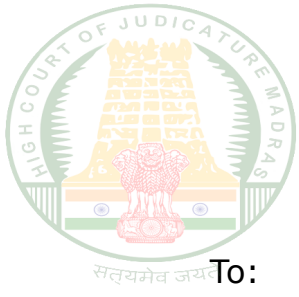
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8. As stated supra, the impugned notice is only for removal of the unauthorised development carried out without planning permission in the property in question within the time stipulated therein. Since the petitioner has failed to produce any planning permission to show that the construction is as per the plan, we are of the view that there is no illegality in issuing the impugned notice. It is the duty of the petitioner to restore the building to its condition before the said development took place. Further, the motive behind issuance of the impugned notice as canvassed by the petitioner is also without any materials. There are no valid grounds to entertain the writ petition.

9. The writ petition is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(SUSHRUT ARVIND DHARMADHIKARI,CJ) (G.ARUL MURUGAN,J)
29.04.2026

Index : Yes/No
Neutral Citation : Yes/No
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