



WEB COPY



W.P.No.34183 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2025

CORAM :

**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN**

W.P.No.34183 of 2022

M.Gopinath
Director,
M.Ramakrishna Glass Plywoods Ltd.,
7, Rattan Bazaar Road, Rattan Bazaar,
George Town,
Chennai – 600 003.

... Petitioner

Vs.

1. Corporation of Chennai,
Rep. By its Commissioner,
No.53, Rippon Building,
Chennai – 600 003.
2. Inspector of Police,
Flower Bazzar Police Station,
Flower Bazzar,
Chennai – 600 003.
3. The Managing Director,
Tamil Nadu Urban Habitat Development Board,
No.5, Kamarajar Salai,
Chennai – 600 005.

(R3-suo motu impleaded by order
dt.11.12.2025 by SMSJ & CKJ)

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for

issuance of a Writ of Mandamus to direct the Corporation of Chennai, the

1st respondent herein to remove all the encroachments in the platform at

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Rattan Bazzar Road, George Town, Chennai – 600 003.

For Petitioner	: Mr.Niranjan Rajagopalan for M/s.G.R.Associates
For Respondents	: Mr.A.Arun Babu, Standing Counsel for GCC for R1 Mr.T.Arunkumar, Addl.Govt.Pleader for R2 Mr.B.Balaji, Standing Counsel for TNUDB for R3

ORDER

S.M.SUBRAMANIAM,J.

The Writ of Mandamus has been instituted to direct the respondents to remove the encroachments in the platform of Rattan Bazaar Road, George Town, Chennai – 600 003.

2. Learned Standing Counsel for Chennai Corporation relying on the status report filed by the Corporation would submit that encroachments in platforms had already been removed. However, the learned counsel for the petitioner would oppose by stating that it is partially removed and the huts in the public road are yet to be removed.

3. It is needless to state that all the encroachments in public roads are to be removed to decongest and enable the road users for peaceful usage of public roads. Equally, the livelihood of these huts/slum dwellers are also to be taken into consideration and the State is duty bound to



protect their livelihood as mandated under the Constitution of India.

4. In this regard, the Corporation of Chennai in their status report has stated that in respect of encroachers/slum dwellers, Greater Chennai Corporation will conduct enumeration and after taking bio-matric, the same will be sent to the Tamil Nadu Urban Habitat Development Board for allotment of tenements to the slum dwellers. Already, numerous tenements had been constructed and under construction through Tamil Nadu Urban Habitat Development Board and these slum dwellers, on their eviction from public roads will be accommodated and their eligibility as per the terms and conditions of the welfare scheme is also to be verified.

5. It is made clear that the landless poor slum dwellers alone would be eligible to get alternate accommodation. The authorities are bound to verify the eligibility criteria and thereafter, consider the case of the poor landless person for providing tenements by following the procedures as contemplated under law.

6. Since the Corporation had stated that they will conduct enumeration and after getting bio-matric, the list will be sent to the Tamil Nadu Urban Habitat Development Board, it is necessary to implead them as party in the present writ proceedings. Thus, "The Managing Director, Tamil Nadu Urban Habitat Development Board, No.5,



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Kamarajar Salai, Chennai-600 005” has been suo motu impleaded as party respondent in the writ petition only to ensure that the list to be submitted by the Corporation is considered for grant of allotment of tenement in any one of the available Scheme.

7. The respondent/Corporation is directed to evict all the encroachers from the road side more specifically, in Rattan Bazaar Road, George Town, Chennai and ensure that eligible list of persons are communicated to the Tamil Nadu Urban Habitat Development Board for appropriate actions. The said exercise is directed to be completed within a period of twelve weeks from the date of receipt of a copy of this order. It is made clear that the Corporation and the Government authorities are duty bound to prevent the encroachments in public roads, streets etc. since it is the duty mandated on them. The Writ Petition stands disposed of accordingly. No costs.

(S.M.S.,J.) (C.K.,J.)

11.12.2025

vsi

Index : Yes

Speaking order : Yes

To

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