



WEB COPY

WP No. 25886 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-07-2026

CORAM

THE HON'BLE DR JUSTICE G. JAYACHANDRAN

AND

THE HON'BLE MRS.JUSTICE N. MALA

WP No. 25886 of 2026

AND

WMP NO. 28271 OF 2026

P.Devika
W/o . Paramasivam,
Carrying on business at
Door No. LIG- 6/16
West Bus stand,
6th Block,Mogappair West,
Chennai 37
Residing at No. 6/17
West Vanniyar Street,
Indian Bank colony,
Nesapakkam,
K.K. Nagar West,
Chennai 78

..Petitioner(s)

Vs

1. The State Of Tamil Nadu
Rep. by its principal secretary to Government,
Municipal Administration and Water supply
department,
Fort St.George,
Chennai 09
2. The Commissioner
Greater chennai corporation,
Ripon Buildings,
Chennai 03
3. The Regional Deputy Commissioner
Greater chennai corporation,
Ambattur Region,
Chennai



4. The Executive Engineer
Greater chennai corporation,
Ambattur zone,
Chennai

5. The Assistant Executive Engineer
Town planning Enforcement,
Greater chennai corporation,
Zone VII, Chennai

6. Maria Raja
Door No. 6/16
Mogappair West,
Chennai 37

7. N.Akila
W/o. Maria Raja,
Door No. 6/16
Mogappair West,
Chennai 37

..Respondent(s)

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus forbearing the respondents from proceeding with any further demolition, sealing, dispossession or coercive action in respect of the premises bearing Door No. LIG- 6/16 West Bus stand, Mogappair West, Chennai 37 without due process of law and without affording an opportunity of hearing to the petitioner.

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For Petitioner(s): M/s.Mahiben Samuel
D.Udayasooriyan

For Respondent(s): Mr.K.Surendar, GA for R1
Mr.E.C.Ramesh, Standing counsel
for RR 2 to 5.

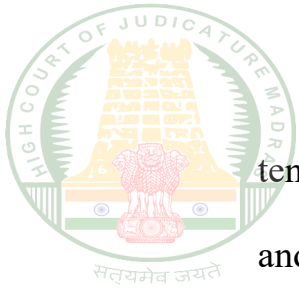


Order

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

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- (1) Mr.K.Surendar, learned Government Advocate accepts notice on behalf of the 1st respondent and Mr.E.C.Ramesh, learned Standing counsel accepts notice on behalf of the respondents 2 to 5.
- (2) Since no adverse order is passed against the respondents 6 and 7, notice to the respondents 6 and 7 is dispensed with.
- (3) The notice dated 02.04.2026 is addressed to one Maria Raja, the 6th respondent herein, who is the owner of the building constructed without permission ; whereas the writ petition is filed by one Devika, claiming as tenant of the premises. The contention of the petitioner is that no notice was issued to her before taking coercive action for removal of unauthorised construction.
- (4) The writ of mandamus to forbear the respondents from proceeding with any further demolition, sealing, dispossession or coercive action by a third party is not maintainable even though she may claim to be an occupant of the premises. While the authorities have taken steps as per the procedure for removal of the unauthorised construction by causing notice to the owner calling for protection of the required documents. If the owner has failed to produce documents, the authorities have every right to remove the unauthorised construction. Under the guise of



tenancy, the third parties cannot prevent the authorities from taking action and perpetuate the illegal construction.

(5) With the above observations, the writ petition stands **dismissed**. No costs. Consequently, the connected miscellaneous petition is closed.s

(G.J.,J.) (N.M.,J.)
09-07-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

AP

To

1. The principal secretary to Government,
State Of Tamil Nadu, Municipal Administration and Water supply
department, Fort St. George,
Chennai 09.
2. The Commissioner
Greater chennai corporation,
Ripon Buildings,
Chennai 03
3. The Regional Deputy Commissioner
Greater chennai corporation,
Ambattur Region,
Chennai
4. The Executive Engineer
Greater chennai corporation,
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Town planning Enforcement,
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**DR.G.JAYACHANDRAN J.
AND
N.MALA J.**

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