



WEB COPY

WP No. 26344 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. 26344 of 2026

AND

WMP NO. 28792 OF 2026

M.Anjammal
W/o.Manohar,
No.60, Government Hospital Road,
Maduranthakam,
Chengalpattu District- 603 306.

..Petitioner(s)

Vs

1. The Government of Tamil Nadu
Represented by The Additional Chief Secretary
to Government,
Municipal Administration and Water Supply
Department,
Secretariat, Chennai-09.
2. The Directorate of Municipal Administration
No.3, MRC Nagar,
Raja Annamalaipuram,
Chennai-028.
3. The commissioner
Maduranthakam Municipality,
Maduranthakam,
Chengalpattu District.
4. The District Collector
Chengalpattu District.
5. The Tahsildar
Maduranthakam Taluk,
Chengalpattu District.



..Respondent(s)

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorari, calling for the records relating to the impugned proceedings in Na.Ka.No.626/ 2024/F1 dated 09.06.2026 passed by the 3rd Respondent, quash the same.

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For Petitioner(s): V.Vadivalagia Nambi
B.Meganathan
S.Ragu
V.Sabari Vasan

For Respondent(s): Mr.K.Surendar, GA for RR1, 2, 4 & 5
Mr.P.Srinivas, Standing counsel for R3

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

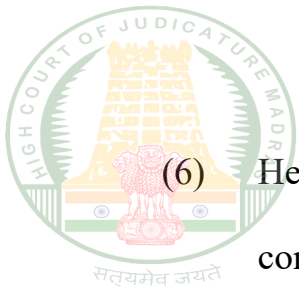
- (1) Mr.K.Surendar, learned Government Advocate accepts notice on behalf of the respondents 1, 2, 4 and 5. Mr.P.Srinivas, learned Standing counsel accepts notice on behalf of the 3rd respondent.
- (2) By consent, the main writ petition is taken up for final disposal at the admission stage itself.
- (3) The Final Notice issued by the 3rd respondent/Commissioner, Maduranthagam Municipality, on 09.06.2026, for removal of encroachment along the Government Hospital Road, is challenged in this writ petition on the ground that the writ petitioner and her family are living in the said land since 1975 and the property being assessed to tax.



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The proceedings initiated under Section 128 of the Tamil Nadu Urban Local Bodies Act, alleging encroachment is illegal since there is a Civil Court decree in favour of the petitioner herein, granting permanent injunction. Being a residential premises, the learned counsel for the petitioner states that without assigning proper reason, the impugned order is being passed for demolition.

- (4) A perusal of the impugned order reveals that earlier, this Court vide orders dated 28.07.2025 and 06.03.2026, made in WP.Nos.24266/2025 and 10761 & 10777/2026, had gone into the issue and having found that the subject land is on the public road leading to the hospital and causing hindrance to the movement of patients coming in Ambulance, directed the authorities to initiate action for removal of the encroachment. This Court also observed that if the petitioners therein have any right over the property, they have to approach the appropriate Forum for appropriate relief.
- (5) As far as the present impugned notice is concerned, after extracting the earlier proceedings, the final notice has been issued to the writ petitioner to vacate the encroached portion, so as to enable the authorities to remove the remove the encroachment and keep the road free for easy flow of traffic. The exparte decree obtained by some of the encroachers for injunction will no way prevent the Government from removing the encroachment along the public road.



(6) Hence, the writ petition stands **dismissed**. No costs. Consequently, the connected miscellaneous petition is closed.

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

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

AP

To

1. The Additional Chief Secretary to Government,
Government of Tamil Nadu
Municipal Administration and Water Supply Department,
Secretariat, Chennai-09.
2. The Directorate of Municipal Administration
No.3, MRC Nagar,
Raja Annamalaipuram,
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**DR.G.JAYACHANDRAN J.
AND
N.MALA J.**

AP

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