

WEB COPY

WP No. 29108 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-07-2026

CORAM

THE HON'BLE DR JUSTICE G. JAYACHANDRAN

AND

THE HON'BLE MRS.JUSTICE N. MALA

Writ Petition No. 29108 of 2026

and

W.M.P.No. 31936 of 2026

Gowri

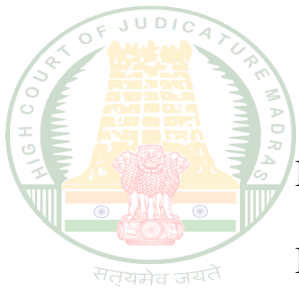
..Petitioner

Vs

1. The District Collector
Collectorate Office,
Chennai.
2. The Tahsildar
Ambattur Taluk,
Chennai-53.
3. The Assistant Commissioner (Zone- 7)
Greater Chennai Corporation,
Regional Officer- Central,
No.36B, Pulla Avenu, Shenoy Nagar,
Chennai-030.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records of the 3rd respondent relating to the notice in Z.O.7.C.No.2729/2026 dated 10.07.2026 and quash the same as illegal, arbitrary and contrary to the section 128 of the Tamil Nadu Urban Local Bodies Act and Consequently direct the 3rd respondent to consider the detailed reply of the petitioner dated 16.06.2026 and 14.07.2026 and thereby render justice.



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For Petitioner:

Mr.Avinashwadhvani

For Respondents:

Mr.K.Surendar

Government Advocate for R1 & R2

Mr.E.C.Ramesh

Standing Counsel for R3

ORDER

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

The petitioner, being aggrieved by the notice issued under Section 128(1) (b) of the Tamil Nadu Urban Local Bodies Act, has approached this Court claiming that the land, which is now being termed as ‘Sarkar Poramboke’ and ‘Street’, is in fact ‘Grama Natham’ even as per the revenue records. The petitioner is in occupation of this portion of the land, where she has constructed a concrete building, which was settled in her favour by her mother. Hence, the petitioner seeks the quashing of the impugned notice.

2. In response, the learned Government Advocate appearing for the official respondents submitted that a survey of the disputed area, falling under T.S.No.107 (Old T.S.No.606), was conducted pursuant to the directions of this Court passed in W.P.No.9838 of 2021. At the time of survey, the petitioner was also present and thereafter, an opportunity for an enquiry was given to the parties. After due enquiry, it was found that three persons had encroached and



constructed buildings in T.S.No.107, out of whom one Dhanalakshmi was granted a patta vide order dated 08.12.2011. As far as the petitioner is concerned, an extent of .03.65.0 ares of land, classified as a street, has been encroached upon. Hence, the impugned notice was issued directing the writ petitioner to remove the encroachment within 15 days from the date of receipt of notice, failing which action will be taken for removing the said encroachment.

3. Admittedly, the petitioner herein is in occupation of Grama Natham land. However, the survey conducted by the revenue officials clearly indicates that a portion of the building falls upon land classified as a street. Even if the settlement deed relied by the petitioner is taken into account for the limited purpose of establishing the petitioner's possession, there cannot be any construction upon a Grama Natham Street based on the SLR patta issued to the mother of the petitioner herein. Hence, we make it clear that if any construction is made on the portion of the land classified as Grama Natham Street, it has to be necessarily removed, either by the person who has constructed it or failing that, by the authorities. If the removal is carried out by the authorities, they shall take all necessary precautions to ensure that the portion of the building constructed on land not classified as a street is not disturbed beyond what is strictly required.



4. In view of the aforesaid findings, we find no merit in the challenge to the impugned notice. Accordingly, the Writ Petition is dismissed.

Consequently, the connected Miscellaneous Petition is closed. No costs.

(Dr.G.J.,J.) (N.M.,J.)
24-07-2026

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

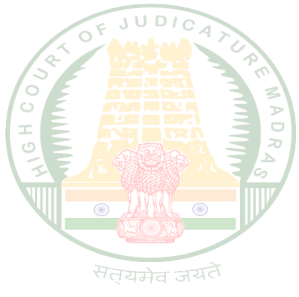
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To

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and
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