



W.P.No.6198 of 2024

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.12.2024

CORAM:

THE HONOURABLE MR JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR JUSTICE C.KUMARAPPAN

W.P.No.6198 of 2024

Logeswari

...Petitioner

Vs.

1. The Government of Tamil Nadu,
Rep. by its Secretary to Government,
Housing and Urban Development Department,
Secretariat, Chennai – 600009.
2. The Principal Secretary of Municipal Administration,
Government of Tamil Nadu,
Secretariat, Chennai – 600009.
3. The Commissioner,
Greater Chennai Corporation,
Rippon Building, Chennai – 600003.
4. The District Collector,
Chennai Collector Office,
Chennai – 600001.
5. The Assistant Executive Engineer,
Unit 39, Zone 13,
Greater Chennai Corporation,
Adyar, Chennai – 600 113.
6. The Assistant Engineer,



W.P.No.6198 of 2024

Ward 178, Greater Chennai Corporation,
Adyar, Chennai – 600 113.

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7. The Thasildar,
Velachery Taluk Office,
Velacherry, Chennai.

8. Gandhi

9. Arumugapandi

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the third respondent to consider and thereby disposing the representation made by the petitioner on 01.12.2023 for removing the illegal and un-authorized construction/building of 8th and 9th respondents on the Government Land as classified as Vandi Battai at Chennai District, Velechery Taluk, Taramani, Chennai – 600113, with in Chennai Corporation Zone-13, Unit 39, Ward 178, Survey No.89/2, T.S.No.2, Block No.7, Anbalazhagan Nagar, Kamarajar Street, Door No. 66/7, G+3 floor building of 8th respondent Mr.Gandhi and another adjacent property at Door No.4/51, G+2 floor building of 9th respondent Mr.Arumugapandi.

For Petitioner : Mr.K.Yuvaraj

For Respondents : Mr.S.John J.Raja Singh,
Additional Government Pleader
(for R1, R2, R4 & R7)
Mr.E.C.Ramesh,
Standing Counsel (for R3, R5 &
R6)
Mr.L.Chandra Kumar
(for R8 & R9)

ORDER



W.P.No.6198 of 2024

*(Order of the Court was delivered by **R.SUBRAMANIAN, J.**)*

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We have heard Mr. K.Yuvaraj, the learned counsel for the petitioner, Mr. John J.Raja Singh, the learned Additional Government Pleader appearing for the first, second, fourth and seventh respondents, Mr. E.C.Ramesh, the learned Standing Counsel for third, fifth and sixth respondents and Mr. L.Chandra Kumar, the learned counsel for the eighth and ninth respondents.

2. According to the petitioner, the respondents 8 and 9 had encroached upon the Government property, which has been classified as “Vandi Battai” in Survey No.89/2, Ward 178, Chennai Corporation Zone-13, Kamarajar Street, Anbalazhagan Nagar, Taramani, Chennai – 600113. The Tahsildar, Velacherry, has filed a report stating that the land is classified as Sarkar Poramboke. According to the Sub Inspector of Survey, Velacherry, the land in question is shown as “Kuttai” (Water body). It is also claimed that the buildings have been put up without a sanctioned plan.

3. Mr. L. Chandra Kumar, the learned counsel for the respondents 8



W.P.No.6198 of 2024

and 9, would submit that he is not able to place any sanctioned plan before us to show that the building is authorized.

4. In view of the above, there will be a direction to the Official respondents, viz., the respondents 3, 5 and 6, to take appropriate action under the Tamil Nadu Urban Local Bodies Act, 1998, for removal of the encroachments.

5. This Writ Petition is ordered on the above terms. No costs.

(R.S.M., J.) (C.K., J.)
16.12.2024
1/2

kv
Index : Yes/No
Speaking order /Non Speaking Order
Neutral Citation : Yes/No

To

1. The Secretary to Government,

4/6



W.P.No.6198 of 2024

WEB COPY

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W.P.No.6198 of 2024

R.SUBRAMANIAN, J.
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W.P.No.6198 of 2024

16.12.2024
1/2