



WEB COPY



W.P.No.1887 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.03.2025

CORAM

THE HON'BLE MR. JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Writ Petition No.1887 of 2025

S.Durai Udaiyar

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Rep. by its Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu-Nadarajar Maaligai,
Egmore, Chennai -8.

2.The Commissioner,
Avadi Municipality,
Avadi, Chennai – 54.

3.The Block Development Officer,
Block Development Office,
Kattupakkam,
No.18, Bajanai Koil Street,
Lakshmi Nagar, Kattupakkam,
Chennai – 56.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for
issuance of Writ of Mandamus to direct the respondents to conduct an enquiry



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about the illegal constructions on the petitioner's land in S.Nos.122 & 137 which is situated at Kattupakkam Village, Poonamallee Taluk, Thiruvallur District and to take suitable action against the unauthorized construction in view of the Town and Country Plan Act, 1971.

For Petitioner : Ms.Manikuyil.K
For R1 : Mr.C.Manoharan
Standing Counsel for CMDA
For R2 : Mr.R.A.Gopinath,
Senior Counsel
For R3 : Mr.E.Veda Bagath Singh
Special Government Pleader

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM,J.)

The writ of mandamus has been instituted to direct the respondents to conduct an enquiry about the illegal constructions on the petitioner's land in S.Nos.122 & 137 which is situated at Kattupakkam Village, Poonamallee Taluk, Thiruvallur District and to take suitable action against the unauthorized construction in view of the Town and Country Plan Act, 1971.



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2. Admittedly, the subject land is a private land and the petitioner claims ownership of the property. Further, the learned counsel for the petitioner would submit that some third parties have encroached upon the property belongs to the petitioner. Though, names are mentioned in the affidavit, those parties have not been impleaded as party respondents in the writ proceedings. In respect of such disputes of civil nature, the petitioner has to approach the competent Civil Court of Law for securing necessary relief.

3. Granting liberty to the petitioner to approach the Civil Court of law, the present writ petition stands disposed of. There shall be no order as to costs.

(S.M.S., J.) (K.R.S., J.)
26.03.2025

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Index: Yes

Speaking Order: Yes/No

Neutral Citation Case : Yes/No



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