



W.P.No.7081 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.08.2025

CORAM :

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

W.P.No.7081 of 2024

&

W.M.P.Nos.7913 & 7914 of 2024

F.Jobinston Sherwin

.. Petitioner

Vs.

1. The Tamil Nadu Local Body Ombudsman
No.100, Anna Salai
Guindy, Chennai 600 032.

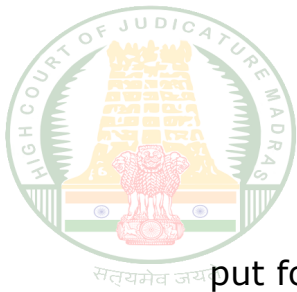
2. The Greater Chennai Corporation
Rep. by its Commissioner
Rippon Building, Chennai 600 003.

3. The Zonal Officer
Mandalam II
Greater Chennai Corporation
No.33, Arcot Road, Valasaravakkam
Chennai 600 087.

4. K.G.Elango

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the 2nd & 3rd respondents to remove, demolish the entire unauthorised and illegal construction



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put forth by the 4th respondent in the schedule mentioned property.

For Petitioner : Ms.S.Nirmal Aditya

For Respondents : Mr.M.Habeeb Rahman
Government Advocate
for Respondent-1

Mr.M.Suresh Kumar
Additional Advocate General
Assisted by
Mr.DBR Prabhu
Standing Counsel
for Respondents 2 & 3

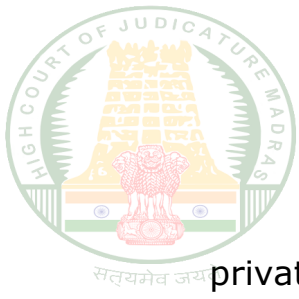
Mr.K.Thiruvengadam
for Respondent-4

ORDER

(Order of the Court was made by
the Hon'ble Chief Justice)

This petition has been filed by petitioner seeking issuance of Mandamus to respondent authorities to demolish the construction, which, allegedly, was made in violation, by private respondent.

2. In the petition, it has been stated that the illegal construction has resulted in obstruction and enjoyment of easementary rights of access to air and light. We further find that



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private respondent has also approached Ombudsman, who has passed an order on 30.08.2023.

3. Learned counsel for private respondent is unable to satisfy this Court whether or not the order passed by Ombudsman has been challenged by private respondent.

4. Taking into consideration that official respondents have already initiated the process of demolition, without commenting upon the legality and validity of the same, as also the proceedings and order of Ombudsman and keeping it open to petitioner to take such remedy as may be available to him, petition is disposed of. There shall be no order as to costs. Consequently, the interim applications are closed.

(MANINDRA MOHAN SHRIVASTAVA, CJ) (SUNDER MOHAN,J)
25.08.2025

Index : Yes/No
Neutral Citation : Yes/No
kpl



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To

1. The Tamil Nadu Local Body Ombudsman
No.100, Anna Salai
Guindy
Chennai 600 032.
2. The Commissioner
Greater Chennai Corporation
Rippon Building
Chennai 600 003.
3. The Zonal Officer
Mandalam II
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Valasaravakkam
Chennai 600 087.



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THE HON'BLE CHIEF JUSTICE
AND
SUNDER MOHAN,J.

(kpl)

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25.08.2025



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W.P.No.7081 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.09.2025

CORAM

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.7081 of 2024

F.Jobinston Sherwin
S/o.Late J.Franklin Israel
Plot No.6,7th Street
Metro Nagar Extension
Alapakkam, Porur, Chennai-116.

Petitioner(s)

Vs

The Tamilnadu Local Body Ombudsman
No.100, Anna Salai, Guindy
Chennai-032 and 3 Others

Respondent(s)

For Petitioner(s):

Mr.S.Nirmal Aditya

For Respondent(s):

Mr.M.Habeeb Rahman
Government Advocate for R1
Mr.M.Suresh Kumar
Additional Advocate General
Assisted by
Mr.D.B.R.Prabhu
Standing Counsel for R2 & R3
Mr.K.Thiruvengadam for R4



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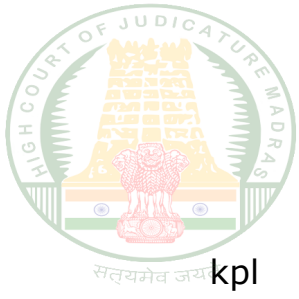
ORDER
(Order of the Court was made by
the Hon'ble Chief Justice)

This case was taken up, upon being mentioned, on a prayer for correction of typographical mistake in paragraph 2 of the order passed by us, on 25.08.2025.

2. After considering the submission of learned counsel for petitioner, we are inclined to order that in paragraph 2 of the order, in place of "private respondent", it shall be read in substitution as "petitioner".

4. This order shall be produced by the parties before the competent authorities, along with the original order dated 25.08.2025 passed by this Court.

(MANINDRA MOHAN SHRIVASTAVA, CJ) (G.ARUL MURUGAN,J)
10.09.2025



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