



WEB COPY

WP No. 24484 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-07-2025

CORAM

**THE HONOURABLE MRS JUSTICE J. NISHA BANU
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

W.P. No. 24484 of 2025

1. R.Venkatesan
S/o.Late.K.S.Ramabadran,
No.14/19,Nethaji Street, Saidapet,
Chennai-600 015

Petitioner(s)

Vs

1. The Commissioner
Greater Chennai Corporation,
Chennai-600 003

2.The Executive Engineer
Zone-9, Greater Chennai Corporation,
Richards Park, Saidapet,
Chennai-600 015

3.R.Prakash Chander
No.16/18, Nethaji Street, Saidapet,
Chennai-600 015

Respondent(s)



PRAYER

The Writ Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the respondents 1 and 2 to consider the petitioners representation dated 10.2.2025 and to demolish the building constructed by the third respondent, which was encroached and constructed violating the approved building plan.

For Petitioner(s): Mr.M.T.Arunan

For Respondent(s): Mrs. S.Vanitha Joise Rani
Standing Counsel
For R1 and R2

ORDER

(Order of the Court was made by J.NISHA BANU, J.)

The present Writ Petition has been filed seeking issuance a Writ of Mandamus, directing respondent Nos.1 and 2 to consider the petitioner's representation dated 10.02.2025, and to take action to demolish the building constructed by respondent No.3, which was allegedly put up on encroached land and in violation of the approved building plan.

2. It is the case of the petitioner that respondent No.3, namely, R.Prakash Chandar, is the owner of a house property bearing Door No.16/18, Nethaji Street, Saidapet, Chennai – 600 015, and he has illegally encroached upon 48.5 sq.ft of land on the western side of the petitioner's property. The construction put up by respondent No.3 is not in accordance with the approved building plan. Hence, the petitioner has sent a representation to respondent Nos.1 and 2



requesting to take action and to demolish the said building, as the same is in deviation from the approved building plan. But, the official respondents did not take any action on the petitioner's representation. Therefore, the petitioner is constrained to move the present Writ Petition.

3. Heard the learned counsel appearing for the petitioner and Mrs.S.Vanitha Joise Rani, learned Standing Counsel appearing for the official respondents and perused the materials placed before this Court.

4. Though the petitioner has sought for larger relief, the learned counsel for the petitioner would state that it would be suffice, if the respondents consider the representation of the petitioner and pass orders, within a reasonable time.

5. Considering the facts and circumstances of the case and considering the submissions made by the learned counsel for the petitioner, even though larger relief is sought for, we deem it fit that it would suffice to direct respondent Nos.1 and 2, to consider the petitioner's representation dated 10.02.2025 and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner as well as respondent No.3 and also affording them an opportunity of personal hearing. Such exercise shall be done by the official respondents within a period of twelve (12) weeks from the date of receipt of a copy of this order.



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6. With the above directions, this Writ Petition is disposed of. There shall be no order as to costs.

(J.NISHA BANU J.) (M.JOTHIRAMAN J.)

07-07-2025

ASI

To

1.The Commissioner
Greater Chennai Corporation,
Chennai-600 003

2.The Executive Engineer
Zone-9, Greater Chennai Corporation,
Richards Park, Saidapet,
Chennai-600 015

3.R.Prakash Chander
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