



WP.No.17630 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 02.06.2025**

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

**WP.No.17630 of 2025**

V.Govindan

...Petitioner

Vs.

1. Chennai Metropolitan Development Authority,  
rep. by its Member Secretary,  
No.1, Gandhi Irwin Road,  
Egmore,  
Chennai 600 008.

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

3. The Zonal Executive Engineer,  
Zone X, Greater Chennai Corporation,  
No.64, NSK Salai,  
Kodambakkam,  
Chennai - 600 024.

4. P.Manoharan,  
S/o Padmanabhan

5. P.Balasubramanian  
S/o Padmanabhan

... Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus to direct the respondents 2 & 3 to



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consider the representation of the petitioner dated 03.06.2024 & 02.07.2024 and take enforcement action as per the proceedings of the 1st respondent in Letters No.EC/C-II/6957/2024 dated 27.06.2024 & 15.07.2024 as against the respondents 4 & 5 in respect of the unauthorized structures put up by them at Old No.13, New Door No.18, Shyamala Vadana Street, Kodambakkam, Chennai - 600 024 and consequently direct to demolish the unauthorized structures put up thereon.

For Petitioners : Mr.M.Sivavarthan

For Respondents : Mr.Akil Akbar Ali for R1  
Mr.A.Arunbabu,  
Standing Counsel for R2 & R3

### **ORDER**

(Order of the Court was delivered by J.Nisha Banu, J.)

This Writ Petition has been filed seeking to issue a Writ of Mandamus to direct the respondents 2 & 3 to consider the representation of the petitioner dated 03.06.2024 & 02.07.2024 and take enforcement action as per the proceedings of the 1st respondent in Letters No.EC/C-II/6957/2024 dated 27.06.2024 & 15.07.2024 as against the respondents 4 & 5 in respect of the unauthorized structures put up by them at Old No.13, New Door No.18, Shyamala vadana Street, Kodambakkam, Chennai - 600 024 and consequently direct to demolish the unauthorized structures put up thereon.

2. The brief facts of case of the petitioner is that the 4th and 5th respondents are the owners of the land on the northern side of the



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petitioner's property and they have made unauthorised construction without obtaining any planning approval and in violation of various regulations of the 1st and 2nd respondents. The 4th and 5th respondents' building is situated in a primary residential zone and they have let out a portion of their premises for running a Goldsmith lathe. The said Goldsmith lathe is not permitted in a primary residential zone. The charcoal smoke, noise(hammering sound) and husk emanating during the Goldsmith operations causes serious health hazard, nuisance to the petitioner and he being a senior citizen, aged about 82 years, is facing serious hardships. Though the petitioner has made representations dated 03.06.2024 & 02.07.2024 to the 1st to 3rd respondents to take action, no action has been taken so far. Hence, the Hence, the present writ petition.

3. Heard the learned counsel for the petitioner, the learned Standing Counsel appearing for the respondents 1 to 3 and perused the materials available on record.

4. Considering the above submissions made by the learned counsel for the petitioner, we are of the opinion that it would be suffice if the 2nd respondent is directed to dispose of the representations of the petitioner. Accordingly, without going into the merits of the claim made by the petitioners in the writ petition, we direct the 2nd respondent to consider the representations of the petitioner dated 03.06.2024 & 02.07.2024 and



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pass appropriate orders on the same on merits and in accordance with law after giving opportunity of personal hearing to the petitioner as well as the 4th and 5th respondents. Such exercise shall be done by the 2nd respondent within a period of eight weeks from the date of receipt of a copy of this order. Accordingly, the Writ Petition is disposed of. No costs.

**[J.N.B.,J.] [M.J.R.,J.]**  
**02.06.2025**

vsi

Index:Yes/No

Speaking order/Non-speaking order

Neutral Citation:Yes/No

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