



WEB COPY



WP NO. 19529 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-06-2025

CORAM

THE HONOURABLE MRS JUSTICE J. NISHA BANU

AND

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

WP NO. 19529 of 2025

V.Bhuvaneshwari
D/o.Late.R.Vasanth Kumar, No.25/29,
Thiruvengatapuram 1st Street, Choolaimedu,
Chennai-600 094.

Petitioner(s)

Vs

1.The Commissioner,
Greater Chennai Corporation, Rippon Buildigns,
No.1131, Evr Periyar Salai, Park Town, Chennai-
600 003.

2. The Zonal Officer
Zone IX, Division 109, Greater Chennai Corporation, Nungambakkam,
Chennai-600 034.

3. KAVITHA
Old Door No.26, Thiruvengatapuram 1st Street, Choolaimedu, Chennai-600
094.2 ..Respondent(s)

Prayer: Writ Petition filed praying to issue a writ of mandamus directing the respondents 1 and 2 to remove the unauthorized construction put up by the 3rd respondent at Door No.26, Thiruvengatapuram, 1st Street. Choolaimedu, Chennai-600094 based on petitioner's complaint dated 22.05.2025.

For Petitioner(s) : Mr.P.Krishnan

**For Respondent(s): Mr. D.B.R. Prabhu Standing counsel for Rr1 &R2,
Mr.N.V.V.Krishna For R3**



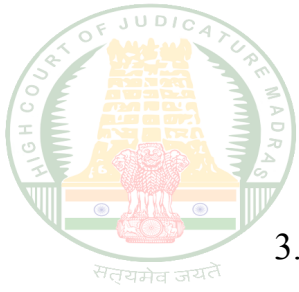
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ORDER

WEB COPY (Order of the Court was made by the Hon'ble J.Nisha Banu J.)

This Writ petition has been filed to issue Writ of Mandamus directing the Respondents 1 and 2 to remove the unauthorized construction put up by the 3rd Respondent at Door No. 26, Thiruvengatapuram 1st Street, Choolaimedu, Chennai- 600094 based on complaint dated 22.05.2025.

2. The Petitioner averred that she is residing at No. 25/59, Thiruvengatapuram 1st Street, Choolaimedu, Chennai, for over three decades. The 3rd Respondent, purchased the adjoining property bearing Door No. 26 four years ago, demolished the existing structure, and constructed a tennis court with zinc sheets around her property without obtaining approval from the Greater Chennai Corporation /Respondents 1 and 2. The 3rd Respondent erected a shed measuring 30 feet in height, covering approximately 2,400 sq.ft., without adhering to mandatory setbacks, structural rigidity (lack of pillars/foundation), or approved building plans. The construction poses significant risks, including potential collapse during wind/rain, damage to neighboring properties, and obstruction of light and ventilation.

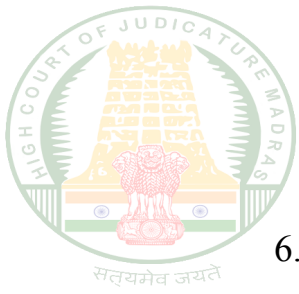


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3. According to the petitioner, the zinc sheets radiate extreme heat into the Petitioner's home and affect her health conditions; further tenants are vacating due to uninhabitable conditions and thereby, her rental income is deprived. The construction also violates the right to life under Article 21 by creating fire hazards and suffocating living conditions.

4. It is further averred in the petition that the petitioner and other residents lodged complaints with the 2nd Respondent/Zonal Officer and Ward 109 officials on 27.01.2025, prompting a temporary halt to construction after the Executive Engineer confirmed the lack of approval. Despite subsequent complaints including to the Police, CM Cell, and National Green Tribunal on 22.05.2025 and 26.05.2025, Respondents 1 and 2 failed to take permanent action. The 3rd Respondent resumed construction, exploiting this inaction.

5. Mr.D.B.R.Prabhu, who accepted notice for respondents 1 and 2 would submit that eight weeks time may be given to respondents 1 and 2 to consider the representation of the petitioner and to take necessary action in accordance with law. Mr.V.V.Krishna, learned counsel appeared for the 3rd respondent.



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6. Heard.

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7. Taking note of the averments made in the writ petition, without going into the merits of the case, respondents 1 and 2 are directed to consider the complaint/representation of the petitioner dated 22.05.2025 by giving opportunity of personal hearing to the petitioner as well as 3rd respondent and pass orders in accordance with law. If the respondents 1 and 2 found that the construction activity is carried on by 3rd respondent in contravention to the provisions of Town and Country Planning Act, respondents 1 and 2 are directed to take necessary enforcement action as per the statutory Rules. Such an exercise shall be carried out by the respondents 1 and 2 within a period of eight weeks from the date of receipt of a copy of this order.

8. The Writ Petition is disposed of with the above direction. No costs.

(J.NISHA BANU J.) (M.JOTHIRAMAN J.)
11-06-2025

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To

1. The Commissioner,
Greater Chennai Corporation, Rippon Buildigns, No.1131,
Evr Periyar Salai, Park Town, Chennai-600 003.

2. The Zonal Officer
Zone Ix, Division 109, Greater Chennai Corporation, Nungambakkam,
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