



WP.No.22791 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.06.2025

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THE HONOURABLE MRS. JUSTICE J.NISHA BANU

AND

THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

W.P.No.22791 of 2025

H.M.Foundations Private Limited,
represented by its Authorized
Singatory Mr.Hemant Raj,
Having office at No.32, Auddiappa Naicken Street,
Sowcarpet,
Chennai - 600 001.

...Petitioner

Vs.

1. The Commissioner,
Greater Chennai Corporation,
Ripon Building,
Chennai - 600 003.
2. The Executive Engineer,
Corporation of Chennai,
Zone 8, Aminjikarai,
Anna Nagar,
Chennai - 600 029.
3. The Assistant Executive Engineer,
Unit 22, Corporation of Chennai,
Zone 8, Aminjikarai,
Anna Nagar,
Chennai - 600 029.
4. The Assistant Engineer,
Division - 101,
Corporation of Chennai,



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Zone 8, Aminjikarai,
Anna Nagar,
Chennai - 600 029

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5. A.D.Murugan,
No.682, Poonammallee High Road,
Aminjikarai,
Chennai - 600 029.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus to direct the 1st to 4th respondents to take appropriate action against the illegal construction put up by the 5th respondent in the premises situated at No.682, (Old No.637-638 Old No.321-C) Poonammallee High Road, Aminjikarai, Chennai - 600 029, comprised in T.S.No.23 and Present T.S.Nos.22/2 and 23/3, Chinna Kudal Village, Egmore-Nungambakkam Taluk, Chennai District, measuring 5 grounds and 482 sq.ft.

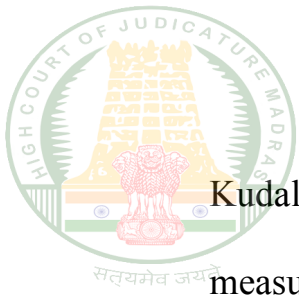
For Petitioner : Mr.D.Saikumarran

For Respondents : Mr.A.Arunbabu,
Standing Counsel for Corporation

ORDER

(The order of the Court was made by J.Nisha Banu,J.)

This writ petition has been filed to direct the 1st to 4th respondents to take appropriate action against the illegal construction put up by the 5th respondent in the premises situated at No.682, (Old No.637-638 Old No.321-C) Poonammallee High Road, Aminjikarai, Chennai - 600 029, comprised in T.S.No.23 and Present T.S.Nos.22/2 and 23/3, Chinna

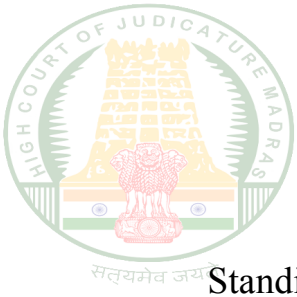


Kudal Village, Egmore-Nungambakkam Taluk, Chennai District,
measuring 5 grounds and 482 sq.ft.

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2. (i) The case of the petitioner is that the petitioner is a private limited company. The petitioner purchased a land with small building located at No.682, (Old No.637-638 Old No.321-C) Poonammalle High Road, Aminjikarai, Chennai - 600 029, comprised in T.S.No.23 and Present T.S.Nos.22/2 and 23/3, Chinna Kudal Village, Egmore-Nungambakkam Taluk, Chennai District, measuring 5 grounds and 482 sq.ft. through registered Sale Deed vide Document No.2059 of 2015 on the file of Sub-Registrar, Anna Nagar, Chennai and the land remained vacant. However, in the year 2019, the 5th respondent unlawfully trespassed into the said property, claiming tenancy rights and unlawfully commenced to construct a building without planning permission.

(ii) The petitioner is the owner of the said land. Therefore, the petitioner made representations and complaints to the 1st and 2nd respondents on 26.08.2020 and 01.09.2020. The 2nd respondent issued pre-notice dated 10.09.2020. However, the construction is ongoing on the property without any sanction of approval, building permit etc. The petitioner gave representations to the 1st to 4th respondents on 26.05.2025 in this regard. But no action has been taken so far. Hence, the present writ petition.



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3. Heard the learned counsel for the petitioner, the learned Standing appearing for the respondent Corporation and perused the materials available on record.

4. On perusal of the records and on considering the submissions made by the learned counsel for the petitioner, we are of the opinion that it would be suffice if a direction is given to the 2nd respondent to consider the representation of the petitioner and pass appropriate orders. Accordingly, the 2nd respondent is directed to consider the representation of the petitioner dated 26.05.2025 and pass order on merits and in accordance with law, after giving opportunity of personal hearing to the petitioner as well as the 5th 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.]
26.06.2025

vsi
Speaking order/Non-speaking order
Neutral Citation:Yes/No

To

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



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2. The Executive Engineer,
Corporation of Chennai,
Zone 8, Aminjikarai,
Anna Nagar,
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3. The Assistant Executive Engineer,
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Zone 8, Aminjikarai,
Anna Nagar,
Chennai - 600 029.

4. The Assistant Engineer,
Division - 101,
Corporation of Chennai,
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