



WP.No.21937 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2025

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CORAM

THE HONOURABLE MRS. JUSTICE J.NISHA BANU

AND

THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

W.P.No.21937 of 2024

E.Vijayalakshmi
W/o late N.Ethiraj

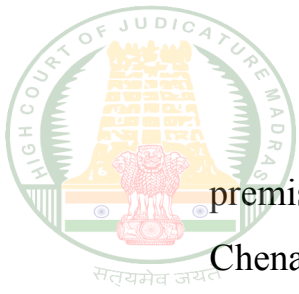
...Petitioner

Vs.

- 1.The Commissioner,
Greater Chennai Corporation Office,
No.53, Raja Muthiah Road,
Kanappar Thidal, Periyamet,
Chennai - 600 003.
2. The Assistant Commissioner,
Zone XIII Greater Chennai Corporation,
Ward No.179 (177),
No.256, Velachery Road,
Lakshmipuram,
Chennai - 600 042.
3. Assistant Executive Engineer,
Plot - 39, Zone-13,
Greater Chennai Corporation,
Velachery Main Road,
Velachery,
Chennai - 600 042.

... Respondents

Prayer: Writ Petition filed under Article 226 of th Constitution of India seeking to issue a Writ of Mandamus to direct the respondents to take necessary steps for the lock and seal of the 2nd floor located in the



premises bearing Door No.29, 5th Main Road, Vijayanagar, Velachery, Chennai - 600 042 based on petitioner's representation dated 25.06.2024.

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For Petitioner : Mr.R.Arunkumar

For REspondents : Ms.P.Vidhya Sree
for Mrs.P.T.Ramadevi,
Standing Counsel

ORDER

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

This writ petition has been filed to direct the respondents to take necessary steps for the lock and seal of the 2nd floor located in the premises bearing Door No.29, 5th Main Road, Vijayanagar, Velachery, Chennai - 600 042 based on petitioner's representation dated 25.06.2024.

2. The case of the petitioner is that the petitioner's husband late N.Ethiraj was the absolute owner of the old building with 2 floors which is situated at Door No.29, 5th Main Road, Vijayanagar, Velachery, Chennai - 42. There are shops in the 1st floor in which, there is no issue. So far as 2nd floor is concerned, there are families of more than fifteen members residing. The building is 75 years old and it is in dilapidated condition. The petitioner gave representation to the 1st to 3rd respondents to inspect the property and take action for lock and seal of the 2nd floor. The inspection was conducted by the 1st respondent. Thereafter, no action was

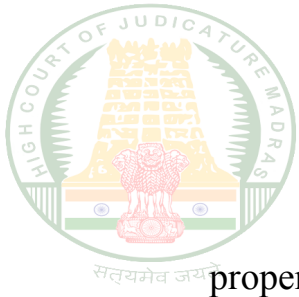


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taken. The petitioner gave representation to the 1st to 3rd respondents on 07.06.2024. The 1st respondent replied on 14.06.2024 stating that the petitioner has to obtain permission from the Greater Chennai Corporation for lock and seal of the building in second floor and if the structure is collapsed, the petitioner would be responsible. It is stated by the petitioner that if the second floor is closed and sealed, the other floors can be saved. The petitioner requested the respondents to vacate the families members from the second floor and to lock and seal the second floor. The petitioner is willing to bear the expenditures for the same. Despite repeated representations made to the respondents, no action has been taken so far. Hence, the present writ petition has been filed.

2. Heard the learned counsel for the petitioner and the learned Standing Counsel appearing for the respondents.

3. When the matter is taken up for hearing today, the learned Standing Counsel appearing for the respondents would state that in respect of the subject property, already a Civil Suit in C.S.No.510 of 2006 is pending before this Court and therefore, the petitioner has to work out her remedy in the pending Civil Suit in C.S.No.510/2006.



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4. Since the Civil Suit is pending in respect of the subject property, we are of the view that the petitioner can make an application in the pending Civil Suit by filing an interim application. Accordingly, this Writ Petition stands dismissed. No costs.

[J.N.B.,J.] [M.J.R.,J.]
20.06.2025

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

To

1. The Commissioner,
Tambaram Municipal Corporation,
28, Muthurangam Street,
Tambaram West, Chennai - 600 045.

2. Executive Engineer,
Zone-5,
Tambaram Municipality Corporation,
28, Muthurangam Street,
Tambaram West,
Chennai - 600 045.

J.NISHA BANU,J.
AND



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