



W.P.No.23939 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 07.08.2025

C O R A M

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

W.P.No.23939 of 2025

Sulthana Begum

... Petitioner

-VS-

1. The Principal Director,
Directorate Defence Estates,
Ministry of Defence Southern Comman,
Manekji Mehta Road, Pune-411 001.
2. The President of Cantonment Board,
(Military Brigadier) Station Commander-in-Chief,
Station Head Quarters, St George,
Chennai-600 009.
3. The Chief Executive Officer,
Military Cantonment Board Office,
St.Thomas Mount, Chennai.
4. Jumma Masjid Committee,
Rep. by its President K.A.Shabu,
Butt Road, St.Thomas Mount,
Chennai-600 016.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to consider the petitioner's representation dated 02.05.2025 to demolish the



W.P.No.23939 of 2025

unauthorized construction put up by the 4th respondent in Door No.3/98 in G.L.R.S No.256/134, bearing S.No.1791 in Mettur Street, St.Thomas Mount, Chennai- 600 016.

For Petitioner : Mr.A.Ilayaperumal
For R1 & R2 : Mr.K.Seetha Ram
Sr.Panel Counsel
For R3 : Mr.C.Mohan and
Ms.A.Rexy Josephine Mary
For M/s.King and Patridge

ORDER

(By J.Nisha Banu,J.)

This Writ Petition has been filed for a direction to the respondents 1 to 3 to consider the petitioner's representation dated 02.05.2025 to demolish the unauthorized construction put up by the 4th respondent in Door No.3/98 in G.L.R.S No.256/134, bearing S.No.1791 in Mettur Street, St.Thomas Mount, Chennai.

2. Notice to R4 is dispensed with, as no adverse order is going to be passed against R4.

3. It is the case of the petitioner that the property in question falls within the ambit of Municipal Administration of the Contonment Board, Chennai and the Board has erroneously issued Planning Permission



W.P.No.23939 of 2025

to construct a building in the property by the 4th respondent. Though 3rd respondent had earlier passed an order dated 22.07.2019 for demolition, there was no further action taken thereon. Therefore, the petitioner sent a representation dated 02.05.2025 to the respondents to demolish the property in question. Since there was no action taken by the respondents 1 to 3, the petitioner is before this Court.

4. Learned counsel for the 3rd respondent submits that a reasonable time may be given to the 3rd respondent to consider and pass appropriate orders on the representation of the petitioner.

5. Considering the facts and circumstances of the case and also taking into account the limited scope of the relief sought for by the petitioner, this Court, without expressing any opinion on the merits of the matter, directs the 3rd respondent to consider the representation dated 02.05.2025 of the petitioner, by giving an opportunity of personal hearing to the petitioner and R4 and thereafter, take action in accordance with law.

J.NISHA BANU, J.
AND



W.P.No.23939 of 2025

M.JOTHIRAMAN, J.

ar

Such an exercise shall be carried out within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of.

No costs.

(J.N.B.J.) (M.J.R,J.)
07.08.2025

Index: Yes / No
Internet: Yes / No
ar

To:

1. The Principal Director,
Directorate Defence Estates,
Ministry of Defence Southern Comman,
Manekji Mehta Road, Pune-411 001.
2. The President of Cantonment Board,
(Military Brigadier) Station Commander-in-Chief,
Station Head Quarters, St George,
Chennai-600 009.
3. The Chief Executive Officer,
Military Cantonment Board Office,
St.Thomas Mount, Chennai.

W.P.No.23939 of 2025