



WEB COPY

WP No. 27331 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-07-2025

CORAM

THE HONOURABLE MRS.JUSTICE N. MALA

WP No. 27331 of 2025

1. VENKATAKRISHNAN

S/o.Radhakishnan, Residing At No.15,
Elumalai Street, Arjunamedu, Koladi
Thiruverkadu, Chennai 600 077.

Petitioner(s)

Vs

1. Director Of Municipal
Administration
(directorate Of Municipal
Administration), 75, Urban
Administrative Building, Santhome
High Road, Mrc Nagar, Raja
Annamalapuram, Chennai 600 028.

2.Municipal Commissioner Of
Thiruverkadu,
Thiruverkadu Municipality, Sivan
Kovil Road, Thambu Samy Nagar,
Thiruverkadu, Chennai 600 077.

3.The Commissioner,
Avadi Corporation, Avadi, Chennai



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4.Panneer Selvam,
S/o.Selvaraj, Residing At, No.2/8,
Poonammal Street, Pallavan Nagar,
3rd Main Road, Koladi, Thiruverkadu,
Chennai 600 077.

Respondent(s)

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PRAYER

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus to direct the 2nd respondent to issue an order against the 4th respondent to close the unauthorized pathway at the side of his house, situated on Elumalai Street, Arjunamedu, Koladi, Thiruverkadu, chennai 600 077 by considering the representations dated 23/12/2024 and 26/12/2024.

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For Petitioner(s): K.Gajendiran
M.Nihal Ahemmed

For Respondent: Mr.M.s.Premkumar, GA for
RR1&2
Mr.RA.Gopinath, Standing
counsel for R3

ORDER

(1) Mr.M.S.Premkumar, learned Government Advocate accepts notice on behalf of the respondents 1 and 2. Mr.RA.Gopinath, learned Standing counsel



accepts notice on behalf of the 3rd respondent. With the consent of both learned counsels, the main writ petition itself is taken up for final disposal.

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Notice to the 4th respondent is dispensed with as no adverse orders are passed against the 4th respondent.

(2) The writ petition is filed for a mandamus directing the 2nd respondent to close the unauthorized pathway at the rear side of his house at Elumalai Street, Arjunamedu Koladi, Thiruverkadu, Chennai-77, by considering the petitioner's representation dated 26.12.2024.

(3) The petitioner states that the 4th respondent is residing in a different street by name Ponnammal Street, Pallavan Nagar, which is adjacent to Elumalai Street where the petitioner resides. The petitioner further states that both the streets are clearly demarcated and having separate approved layout plans. While so, the 4th respondent constructed a house with access from Ponnammal street. The 4th respondent, in order to additionally create an alternate pathway from Elumalai street, unlawfully demolished the rear wall of his house and unauthorizedly constructed a doorway and pathway into Elumalai street. According to the petitioner, as per the layout plan



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sanctioned for Elumalai street, the 4th respondent did not have any right of access via Elumalai street, since the 4th respondent's property did not fall within the said layout. The petitioner therefore issued a legal notice to the 4th respondent on 07.11.2024, calling upon him to demolish and close the unauthorized rear entrance created into Elumalai street. The petitioner thereafter sent a further legal notice on 02.12.2024. However, the 4th respondent deliberately refused to accept both the notices. The petitioner further states that he submitted written complaints to the respondents 1 and 3 on 26.12.2024, by RPAD and also personally submitted a complaint to the 2nd respondent on 23.12.2024, and despite receipt of the complaints, the concerned authorities did not take any action against the illegal act of the 4th respondent. Therefore, the petitioner was constrained to file the above writ petition for the aforesaid relief.

(4) Heard both the learned counsels and also perused the materials placed on record.

(5) Under the facts and circumstances of the case, I am of the considered view that it would suffice to direct the 2nd respondent, to consider and pass orders



on the petitioner's representation.

(6) Accordingly, the 2nd respondent is directed to consider and pass orders on the petitioner's representations dated 23.12.2024 and 26.12.2024, on merits and in accordance with law and take further action as deemed fit. However, it is needless to state that the 2nd respondent shall afford an opportunity of hearing to both the petitioner as well as the 4th respondent while considering the petitioner's aforesaid representations.

(7) The writ petition is disposed of with the above directions. No costs.

25-07-2025

AP

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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N.MALA J.

AP

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