



W.P.No.24098 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 03.07.2025

C O R A M

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

W.P.No.24098 of 2025
and W.M.P.No.27117 of 2025

Mr.N.Naina Mohamed

... Petitioner

-VS-

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

2. The Executive Engineer (Buildings),
Greater Chennai Corporation,
No.1, 4th Cross Street, Near Tennis Stadium,
Lake Area, Chennai-600 034.

3. The Additional Division Engineer,
Greater Chennai Corporation,
No.1, 4th Cross Street, Near Tennis Stadium,
Lake Area, Chennai-600 034.

4. S.N.Sajidha

... 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 representation of the petitioner dated 23.05.2025 in order to inspect, declare and demolish the unauthorized and structurally unsafe construction at Door No.1, Krishna Iyer Street, Nungambakkam, Chennai - 600 034



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under Section 56 and 57 of the Tamil Nadu Town and Country Planning Amendment Act, 1971 and under Section 136 of The Tamil Nadu Urban Local Bodies Act, 1998 and other relevant provisions of The Tamil Nadu Urban Local Bodies Act, 1998.

For Petitioner : Mr.N.Durai Kannan
For Mr.P.Senthilkumar
For R1 to R3 : Mr.D.B.R.Prabhu
Standing Counsel

ORDER

(By *J.Nisha Banu,J.*)

This Writ Petition has been filed for a direction to the respondents 1 to 3 to consider the representation of the petitioner dated 23.05.2025 in order to inspect, declare and demolish the unauthorized and structurally unsafe construction at Door No.1, Krishna Iyer Street, Nungambakkam, Chennai - 600 034 under Section 56 and 57 of the Tamil Nadu Town and Country Planning Amendment Act, 1971 and under Section 136 of The Tamil Nadu Urban Local Bodies Act, 1998 and other relevant provisions of The Tamil Nadu Urban Local Bodies Act, 1998.

2. Mr.D.B.R.Prabhu, learned Standing Counsel takes notice for the respondents 1 to 3. Notice to R4 is dispensed with, as no adverse order is going to be passed against her. By consent, the Writ Petition itself is taken



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up for final disposal at the admission stage.

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3. It is the case of the petitioner that he is an occupant of a portion of the property in question, which has not been maintained properly and no plan or statutory approval has been obtained, when the building was constructed in the early 1970s. The building has been put to use both for commercial and residential purposes, endangering the life and livelihood of occupants and public at large. The building is in deteriorated, ruinous and dangerous condition and unfit for habitation under the provisions of the Tamil Nadu Town and Country Planning Act, 1971. It is further case of the petitioner that though he made a representation dated 23.05.2025 to the respondents 1 to 3 for demolition, ceiling or removal of the unauthorized building, there is no response from the respondents. Hence, the petitioner is before this Court.

4. Learned Standing Counsel for the respondents seeks a reasonable time for the respondents 1 to 3 to consider and pass appropriate orders on the representation of the petitioner.

5. Considering the facts and circumstances of the case and also



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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 respondents 1 to 3 to consider the representation dated 23.05.2025 of the petitioner, by giving an opportunity of personal hearing to the petitioner, R4 and other parties concerned and thereafter, pass necessary orders in accordance with law. 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. Consequently, connected Miscellaneous Petition is closed.

(J.N.B,J.) (M.J.R,J.)
03.07.2025

Index: Yes / No
Internet: Yes / No
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J.NISHA BANU, J.



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