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W.P.No.26624 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 21.07.2025

Coram:

THE HONOURABLE MRS.JUSTICE N.MALA

WP.No.26624 of 2025

V. Narayanan

... Petitioner

Vs.

1. The Commissioner,
Greater Chennai Corporation,
Rippon Building, Chennai – 600 003.

2. The Zonal Officer,
Zone No.8,
Greater Chennai Corporation,
No. 36B/12B, Near Thiru Vi Park,
Pulla Avenue, Pulla Avenue Road,
Shenoy Nagar, Chennai – 600 030.

3. The Secretary
M/s. Ankur Paradise Flat Owner's Association,
No.20/39, Millers Road, Kilpauk,
Chennai – 600 010.

4. Mrs. N.S. Devika.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the first and second respondents to remove the Banyan tree situated in the third and fourth respondents premises at Flat No.201, Block No.2, Old No.20, New No.39, Millers Road, Kilpauk, Chennai – 600 010 and pass orders.

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For Petitioner

: Mr.Illamvaludhi

For Respondents 1 &2

: Mr.K. Aswini Devi,
Standing Counsel

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2Mr.K. Aswini Devi, Standing counsel takes notice for the first and second respondents.

3. This writ petition is filed seeking for a Writ of Mandamus directing the first and second respondents, to remove the Banyan tree situated in the third and fourth respondents premises at Flat No.201, Block No.2, Old No.20, New No.39, Millers Road, Kilpauk, Chennai – 600 010.

4. The petitioner states that there is a huge banyan tree, more than 15 years old, in the third respondent apartment complex. The petitioner states that the roots of the banyan tree are over grown and were causing great damage to the building and its structural stability. Therefore, the petitioner

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sent a representation to the third respondent with a copy to all the respondents. As no action was taken the petitioner filed the above writ petition for the above said relief.

5. Heard the learned counsel on either side and perused the materials available on record.

6. The facts are undisputed. In my view, the petitioner's representation cannot be lightly ignored, since any adverse eventuality rising therefrom may result in irreparable consequences. Therefore, evethough the petitioner already submitted a representation to the third and fourth respondent's with a copy marked to the second respondent, I am inclined to direct the petitioner to submit a fresh representation to the first and second respondents, within a period of two weeks, from the date of receipt of a copy of this order. On receipt of the said representation, the second respondent is directed to consider the same and pass orders on merits and in accordance with law within a period of four weeks thereafter.



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7. This writ petition is disposed of with the aforesaid observation and

direction. No costs.

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Index: Yes/No

Speaking order: Yes/No

Neutral Citation: Yes/No

To

1. The Commissioner,
Greater Chennai Corporation,
Rippon Building, Chennai – 600 003.

2. The Zonal Officer,
Zone No.8,
Greater Chennai Corporation,
No. 36B/12B, Near Thiru Vi Park,
Pulla Avenue, Pulla Avenue Road,
Shenoy Nagar, Chennai – 600 030.

3. The Secretary
M/s. Ankur Paradise Flat Owner's Association,
No.20/39, Millers Road, Kilpauk,
Chennai – 600 010.

N.MALA, J.

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