



W.P.No.25455 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.03.2025

CORAM :

THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

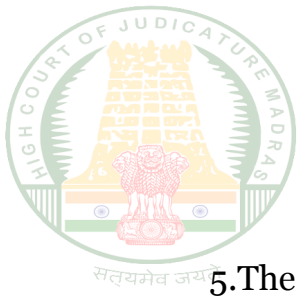
WP No.25455 of 2024

Y.Akbar Ahmed

.. Petitioner

vs.

- 1.The Managing Director,
Tami Nadu Housing Board,
CMDA Complex, E&C Market Road,
Koyambedu, Chennai-600 107.
- 2.The Chairman,
Tamil Nadu Urban Habitat Development Board,
No.5, Kamarajar Salai, Chepauk,
Chennai-600 005.
- 3.The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu-Natarajan Maaligai,
No.1, Gandhi-Irwin Road,
Egmore, Chennai-600 008.
- 4.The Executive Engineer & Administrative Officer,
(Foreshore Estate Division)
Tamil Naud Housing Board,
No.485, MTB Building, Anna Salai,
Nandanam, Chennai-600 035.



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5.The Executive Engineer Division VI
Tamil Nadu Habitat Development Board,
Pillayar Kovil Thottam, R.K. Mutt Road,
Mylapore, Chennai-600 024.

6.The Sub Registrar,
Mylapore Sub Registrar Office
9, Kavignar Bharathidasan Road,
Seetammal Colony, MIG Colony,
Alwarpet, Chennai-600 018.

7.The Commissioner of Police,
No.132, Commissioner Office Building,
EVK Sampath Road, Vepery, Chennai-600 007.

8.The Deputy Commissioner of Police,
148, 138, Kutchery Road,
Madhavaperumalpuram, Mylapore,
Chennai-600 004.

9.Gayathri

10.Devika

11.Surender

12.Swarnaprabha @ Sulekha

13.Manivannan

.. Respondents

PRAYER: Petition under Article 226 seeking issuance of a writ of mandamus directing respondents 1-5 to remove the encroachments and unauthorised constructions put by respondents 9-13 in the land comprised in Survey No.4123/1, Block 89, Mylapore Taluk, Mandaveli, Chennai-600 028.

For Petitioner	: Mr.S.Sathish Rajan for M/s.Pavithra S.P
For Respondents	: Mr.D.Veerasekaran Standing Counsel for respondents 1 and 4



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Mr.G.Venkatesan
Standing Counsel
for respondents 2 and 5

Mrs.P.Veena Suresh
Standing Counsel
for respondent No.3

Mr.A.Gokulakrishnan
Addl. Public Prosecutor
for respondents 7 and 8

Mr.T.Mohan, Senior Counsel
for Mr.N.G.P.Rajaram
for respondents 9 to 13

Mr.M.Habeeb Rahman
Government Advocate
for respondent No.6

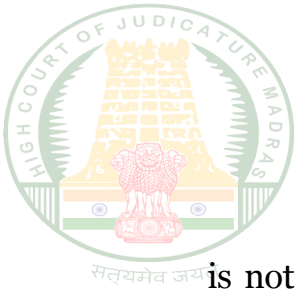
ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

The allegation in the petition is respondent Nos.9 to 13 have encroached on government land and constructed an illegal building.

2. Shri Mohan submits that respondent Nos.9 to 13 have been residing in the building since 1960.

3. Counsel for petitioner states that even if that may be so, though it



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is not admitted, the fact is it is an encroachment and the building itself is illegal.

4. We are not getting into that aspect, but we would dispose the petition with a direction to the Tamil Nadu Urban Habitat Development Board to examine whether the building is legal, and, if it is not, take steps in accordance with law. The process shall be initiated within two weeks from today and concluded by 31.5.2025. Before passing any order, personal hearing shall also be given, notice whereof shall be communicated at least five working days in advance.

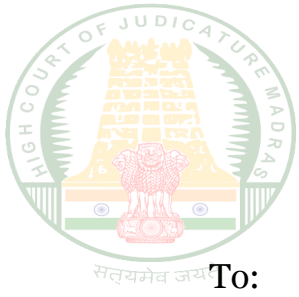
Petition is disposed of accordingly. There shall be no order as to costs.

(K.R.SHRIRAM, C.J.)

(MOHAMMED SHAFFIQ,J.)

06.03.2025

Index : Yes/No
NC : Yes/No
sasi



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