



W.P.No.25040 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 17.06.2025

C O R A M

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

**W.P.No.25040 of 2024**

1. Mrs.Chitra Sampath
2. Sri.R.Sampath

... Petitioners

-VS-

1. The District Collector,  
Kanchipuram District.
2. The Assistant Director,  
Directorate of Town and Country Planning,  
No.33J/95, Kottampalayam Street,  
Rangaswamy Kulam, (Old Employment Office),  
Kancheepuram - 631 501.
3. The Block Development Officer,  
Sripumbudur Panchayat,  
Kancheepuram.
4. The President,  
Sriperumbudur Panchayat,  
Kancheepuram.

5. Mr.Ravikumar

... 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 4 herein to pass appropriate orders for demolition of the illegal and unauthorised



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construction put up by the 5<sup>th</sup> respondent in the Rear Setback and Eastern Side Setback area in the property in Villa No.47-B, “Casa Grande Futura”, Vallakkottai, Oragadam Road, Sriperumbudur-602 105 as the same is in violation of the Building Rules.

For Petitioners : Mr.T.S.Baskaran  
For R1 to R4 : Mr.M.Venkateswaran  
Spl. Govt. Pleader  
For R5 : Mr.G.Vijayakumar

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### **ORDER**

(By J.Nisha Banu,J.)

This Writ Petition has been filed for a direction to the respondents 1 to 4 herein to pass appropriate orders for demolition of the illegal and unauthorised construction put up by the 5<sup>th</sup> respondent in the Rear Setback and Eastern Side Setback area in the property in Villa No.47-B, “Casa Grande Futura”, Vallakkottai, Oragadam Road, Sriperumbudur-602 105 as the same is in violation of the Building Rules.

2. It is the case of the petitioners that the Villa No.48 is owned by the petitioners, which is situated right behind the Villa No.47-B of the 5<sup>th</sup> respondent. The 5<sup>th</sup> respondent has raised construction above the common compound wall and also displaced the pipeline and wires that were running



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over the compound wall. It is further case of the petitioners that the said construction has been made by the 5<sup>th</sup> respondent by obstructing the right to maintain the drainage chambers, running through the rear side of the property of the 5<sup>th</sup> respondent. In this regard, a representation dated 29.05.2024 was submitted to the respondents 1 to 4 for taking stern action against the 5<sup>th</sup> respondent for the illegal construction of the compound wall in Villa No.47-B, but, however there is no response from the respondents 1 to 4. Hence, the petitioners are before this Court.

3. Though the petitioners have come out with a larger prayer, the learned counsel for the petitioners would submit that it would suffice, if the respondents are directed to consider the representation of the petitioners.

4. Learned Special Government Pleader appearing for the respondents 1 to 4 stated that a reasonable time may be granted to the 1<sup>st</sup> respondent for considering and passing appropriate orders on the representation of the petitioners.



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

the submission of the counsel for the petitioners, we deem it fit that it would suffice to direct the respondents to consider the representation of the petitioners dated 29.05.2024. Accordingly, this Court, without expressing any opinion on the merits of the matter, directs the 1<sup>st</sup> respondent to consider the representation dated 29.05.2024 of the petitioners, by giving an opportunity of personal hearing to the petitioners, R5 and other parties concerned and thereafter, pass necessary orders. 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.,)  
17.06.2025

Index: Yes / No

Internet: Yes / No

Speaking Order/Non Speaking Order  
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***Note: Registry is directed to issue the order copy  
after ensuring payment of Separate Court Fee.***



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To:

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**J.NISHA BANU, J.**  
**AND**  
**M.JOTHIRAMAN, J.**  
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