



WEB COPY

WP No. 27497 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-07-2025

CORAM

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

WP No. 27497 of 2025

1. Chandrasekaran
S/o.Jeyagobi,
No.26, Mangammal Garden,
1st Street, New Washermanpet,
Chennai- 81.

Petitioner(s)

Vs

1. Greater Chennai Corporation
Ripon Building, Poonamallee High
Road, Chennai- 03.

2.K.Pakkirisamy
S/o.Kanjamalai,
No.100, Mangammal Thottam,
1st Street, New Washermanpet,
Chennai- 81.

Respondent(s)



PRAYER Writ Petition filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, directing the 1st Respondent to consider petitioners representation dated 25.06.2025.

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For Petitioner(s): Mr. Ramachandran

For Respondent(s): Mr. D.B.R.Prabhu, St. Counsel

ORDER

(Order of the Court was made by J.Nisha Banu J.)

This writ petition has been filed seeking direction to the first respondent to consider the petitioner's representation dated 25.06.2025 and to pass orders.

2. It is the case of the petitioner that he is owner of the property situated at door No.99, 1st street, Mangammal Garden, New Washermanpet, Chennai 600 081 to an extent of 474 sq.ft., by virtue of settlement deed dated 17.03.2022 executed by his father. The adjacent property, bearing door no.100, first street, Mangammal Garden belongs to the 2nd respondent. The allegation of the petitioner is that the second respondent constructed his house, encroaching upon the petitioner's property by an extent 3.5 sq.ft. width and 38 sq.ft. length. The petitioner requested the 2nd respondent to remove the above encroachment portion made in the property to enable him to renovate his house. However, the 2nd respondent did not respond. Subsequently the petitioner made a representation to the first respondent on 25.06.2025, seeking appropriate action. As the same was not considered, the writ petition has been filed.



3. Mr.D.B.R.Prabhu, learned Standing Counsel takes notice for the first respondent.

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4. A perusal of the affidavit shows that there exists civil dispute between the petitioner and the 2nd respondent regarding the property in question. The resolution of this dispute requires adjudication by the Trial Court, upon consideration of oral and documentary evidence adduced by both the parties. Therefore, we are of the opinion that this court while exercising its jurisdiction under Article 226 of Constitution of India cannot delve into the merits of civil dispute. Hence, we are not inclined to entertain the writ petition. However, the petitioner is at liberty to approach the civil forum for redressal of the grievance.

5. Accordingly, this writ petition is dismissed with liberty to approach the civil forum. There shall be no order as to costs.

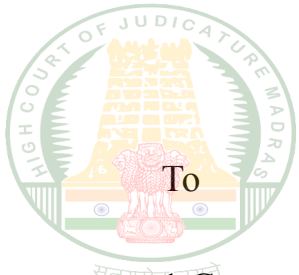
(J.NISHA BANU J.)(M.JOTHIRAMAN J.)
28-07-2025

mst

Index:Yes/No

Internet:Yes

Neutral Citation:Yes/No



To

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1. Greater Chennai Corporation
Ripon Building, Poonamallee High
Road, Chennai- 03.

2. K. Pakkirisamy
S/o. Kanjamalai, No. 100, Mangammal
Thottam, 1st Street, New
Washermanpet, Chennai- 81.



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J.NISHA BANU J.
AND
M.JOTHIRAMAN J.

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