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W.P.No.27584 of 2



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. 27584 of 2025
and WMP.No.30901 of 2025**

K.Subramani

Petitioner

Vs

- 1.The Commissioner,
Greater Chennai Corporation,
Ripon Building, Chennai-600 003.
- 2.The Assistant Executive Engineer,
Greater Chennai Corporation,
Zone-3, Madhavaram,
Chennai-600 060.
- 3.SH Constructions,
represented by its Proprietor,
No.17, Bharathi Nagar,
Red Hills Road, Kolathur,
Chennai-600 099.

4. Dinesh Kumar

Respondent(s)

PRAYER : Writ petition filed under Article 226 of Constitution of India to issue Writ of Mandamus, directing the 1st and 2nd respondent to consider the petitioner's representation dated 26.10.2024 and to take appropriate legal action including inspection, issuance of notice, demolition / removal of the unauthorised construction made by the 3rd and 4th respondents, in Door No.12,



Thanikachalam Nagar, B Block, 6th Main Road, 1st Cross Street,
Ponnammanmedu Village, Madavaram Taluk, Thiruvallur District,
Chennai-110 and pass appropriate orders.

For Petitioner(s): Mr.A.V.Raja

For Respondent(s): Mr.G.T.Subramani,
Standing Counsel for R1 and R2

ORDER

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

This writ petition has been filed seeking to issue a writ of mandamus, directing the 1st and 2nd respondent to consider the petitioner's representation dated 26.10.2024 and to take appropriate legal action including inspection, issuance of notice, demolition / removal of the unauthorised construction made by the 3rd and 4th respondents, in Door No.12, Thanikachalam Nagar, B Block, 6th Main Road, 1st Cross Street, Ponnammanmedu Village, Madavaram Taluk, Thiruvallur District, Chennai-110 and to pass appropriate orders.

2.Mr.G.T.Subramani, learned Standing Counsel takes notice for the respondents 1 and 2.

3. The case of the petitioner is that in the year 1995, he purchased a residential plot measuring to an extent of 1437.5 Sq.Ft. comprised in S.No.1165/2 in Plot No.161 Part, in Madavaram Village, Thiruvallur District,



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Chennai and in the year 1998, he constructed a house with ground and first floor, after obtaining proper approval from the competent authorities and peacefully residing in the said premises for the past 25 years. While so, the 4th respondent, who is his neighbour, had entered into a joint venture agreement with the 3rd respondent / builder to construct a multi storied residential apartment building consisting of six flats and the 3rd respondent started construction activities, without leaving any setback area and in violation of the building planning approval, affecting the eastern side of the petitioner's building. In this regard, the petitioner has submitted a representation dated 26.10.2024 to the 1st respondent to take appropriate action against the said unlawful construction and since no action was taken so far, the petitioner is constrained to file the present writ petition.

4. Heard the learned counsel for the petitioner and the learned Standing Counsel, who takes notice for the respondents 1 and 2.

5. Appearance of the respondents 3 and 4 is dispensed with as no adverse order is going to be passed against them.

6. Considering the limited scope of prayer, without expressing any



opinion on merits, we are inclined to dispose of the writ petition by directing the 2nd respondent to consider the representation of the petitioner dated 26.10.2024 and after affording opportunity of personal hearing to the petitioner as well as the respondents 3 and 4, take action in accordance with law, within a period of twelve weeks from the date of receipt of copy of the order.

7. With the above directions, this writ petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

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

mst

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
To

1. The Commissioner,
Greater Chennai Corporation,
Ripon Building, Chennai-600 003.
2. The Assistant Executive Engineer,
Greater Chennai Corporation,
Zone-3, Madhavaram,
Chennai-600 060.

J.NISHA BANU, J.
AND
M.JOHIRAMAN, J.



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