



WEB COPY

WP No. 27132 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-07-2025

CORAM

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

W.P. No. 27132 of 2025

S.Chitra

W/o Srinivasan No 16-a Sadhasivam
1st Cross Street, Kamarajapuram,
Sembakkam Selaiyur, Chennai 600 073

Petitioner(s)

Vs

1. The Member Secretary
Chennai Metropolitan Development
Authority, Thalamuthu Natarajan
Building, No.1, Gandhi Irwin Road,
Egmore, Chennai 600008

2.The Commissioner
Tambaram City Municipal Corporaiton
No 28 Muthuranga Mudali Streeet,
Tambaram West, Chennai 600 045

3.The District Collector
Chengalpet District, Chengalpet



4.P.Rajesh

S/o Late Parthasarathy Sudharsan

Towers, Plot No 111 1st Floor Shanthi

Nagar Main Road, Shanthi Nagar,

Chrompet, Chennai 600 044

Respondent(s)

PRAYER

Directing the Respondents 1 to 3 to pass orders on the representation dated 15.04.2025 seeking removal of unauthorized construction put up by the 4th respondent in T.S.No.79, as per town survey Ward No. G, Block No 50 comprised in Old S. No 30/1 of an extent of 10900 Sq.Ft., situated in Adhilakshmi 2nd cross street, Sri Rajeswari Nagar, Selaiyur, chennai 600 073 which has been constructed on the public pathway / road on merits and as per law within a time to be stipulated by this Court.

For Petitioner(s): Mr. L. Chandrakumar

For Respondent(s): Mr. M.Rajendran

Additional Government Pleader For R3

Mr. Akhil Akbar Ali

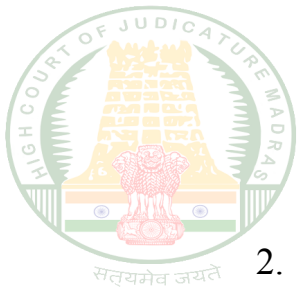
Standing Counsel For R1

Mr. P.Srinivas, Standing Counsel For R2

ORDER

(Order of the Court was made by J.NISHA BANU, J.)

The present Writ Petition is filed for issuance of a Writ of Mandamus directing the respondents 1 to 3 to pass orders on the representation dated 15.04.2025, seeking removal of unauthorized construction put up by the 4th respondent within a stipulated time as may be fixed by this Court.



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2. The case of the petitioner is that she is the absolute owner of the property measuring an extent of 1800 Sq.ft. bearing Plot No.6-A, situated in Adhilakshmi II Cross Street, Sri Rajeswari Nagar Extension, Selaiyur, Tambaram, Chennai and she was also granted a planning permission for construction. One Rajesh, the 4th respondent herein is the adjacent landowner and had purchased a property on the eastern side in S.No.30/1, T.S.No.79, Block No.50, Ward-G, situated in Sri Rajeswari Nagar Extension. The actual measurement of the said field is 18.5 cents. However, the said Rajesh obtained patta under the guise that he is the owner of a larger extent of 25 cents, which is more than what is described in the schedule as well as in the field measurement records.

3. The further case of the petitioner is that, by producing false documents, the 4th respondent obtained sanction and approval from the 1st respondent for construction of a residential flat complex consisting of stilt + 5 floors as if the road is 20 feet wide, whereas, as per records, the actual measurement of the road is only 16 feet. The total extent of land available is 7972 sq.ft, whereas, the 4th respondent claimed ownership over an extent of 10900 sq.ft without proper documentary evidence. Hence, the planning permission obtained by the 4th respondent is illegal and such permission ought not to have been granted. Therefore, the petitioner submitted a representation to the respondents 1 to 3 seeking cancellation of planning permission granted to the 4th respondent.



However till date, no action has been taken on the representation submitted by the petitioner, the present Writ Petition is filed.

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4. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

5. As to the nature of the order going to be passed in this Writ Petition, notice to the 4th respondent is dispensed with.

6. Considering the facts and circumstances of the case and the submission made on either side, this Court, without going into merits of the case, directs the respondents 1 to 3 to consider and pass orders on the representation submitted by the petitioner dated 15.04.2025, on merits and in accordance with law, after affording reasonable opportunity to the petitioner as well as the 4th respondent within a period of twelve (12) weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

(J.NISHA BANU J.) (M.JOTHIRAMAN J.)

22-07-2025

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