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W.P.No.27874 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**

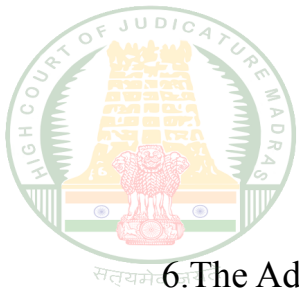
WP No. 27874 of 2025

Mr.M.Kirubanandam

Petitioner

Vs

- 1.The Superintending Planner,
Enforcement Cell-CMDA,
No.1, Gandhi Irwin Road,
Egmore, Chennai-600 008.
- 2.The Member Secretary - CMDA,
No.1, Gandhi Irwin Road,
Egmore, Chennai-600 008.
- 3.The Municipal Commissioner,
Tambaram City Municipal
Corporation Office,
No.1, Muthuranga Mudali Street,
West Tambaram, Chennai-600 045.
- 4.The Tambaram Town Planning Officer,
Tambaram City Municipal Corporation
Office, No.1, Muthuranga Mudali Street,
West Tambaram, Chennai-600 045.
5. The Tambaram Building Inspector,
Tambaram City Municipal Corporation
Office, No.1, Muthuranga Mudali Street,
West Tambaram, Chennai-600 045.



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6.The Additional Chief Secretary,
Housing and Urban Development
Department, Fort St.George,
Chennai-600 009.

7.Mrs.M.R.Vimala

Respondent(s)

PRAYER : Writ petition filed under Article 226 of Constitution of India to issue a Writ of Mandamus, directing the 3rd respondent to consider the petitioners representation dated 08.05.2025 and to take effective measures to remove the unauthorised construction made by the 7th respondent.

For Petitioner(s): Mr.V.S.Senthilkumar

For Respondent(s): Mr.Akhil Akbar Ali,
Standing Counsel for R1 & R2

Mr.P.Srinivas for R3 to R5

Mr.M.Rajendran,
Additional Govt. Pleader for R6

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 3rd respondent to consider the petitioner's representation dated 08.05.2025 and to take effective measures to remove the unauthorised construction made by the 7th respondent.



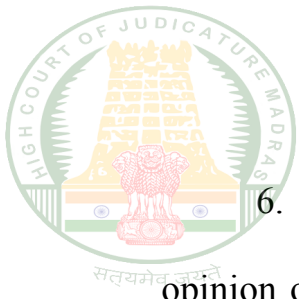
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2. Mr.Akhil Akbar Ali, learned Standing Counsel takes notice for the respondents 1 & 2, Mr.P.Srinivas, learned counsel takes notice for the respondents 3 to 5, and Mr.M.Rajendran, learned Additional Government Pleader takes notice for the 6th respondent.

3. Appearance of the 7th respondent is dispensed with, as no adverse order is going to be passed against him.

4. The case of the petitioner is that he purchased an apartment developed by M/s.VGN Projects Estates Private Limited, bearing No.304 in 3rd floor, Block A, having a built up area of 1621 Sq.Ft. The petitioner claims to have entered into an agreement for sale dated 10.03.2025 and during April, 2025 he visited the property to see the progress of the property and while that being so, the 7th respondent was putting up a construction adjacent to VGN Marble Arch- Phase-I, without leaving proper setback area, as per the approval plan. In this regard, the petitioner has submitted a representation dated 08.05.2025 to the respondents to take necessary enforcement action, but no action was taken on the petitioner's representation and therefore, the petitioner is constrained to file the present writ petition.

5. Heard the learned counsel for the parties .



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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 3rd respondent to consider the representation of the petitioner dated 08.05.2025 and after affording opportunity of personal hearing to the petitioner as well as the 7th respondent, 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.

(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

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

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