



W.P.No.28296 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 29.07.2025

C O R A M

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

W.P.No.28296 of 2025

Iyyam Pillai Mahadevan

... Petitioner

-VS-

1. Chennai Metropolitan Development Authority,
Rep. by its Member Secretary,
No.1, Gandhi Irwin Road, Egmore,
Chennai-600 008.
2. Greater Chennai Corporation,
Rep. by its Commissioner,
Ripon Building, Chennai-600 003.
3. Corporation of Chennai,
Rep. by its Zonal Officer,
Zone-9, No.8, 4th Cross Street,
Lake Area, Nungambakkam,
Chennai-600 034.

4. Mrs.Lakshmi Jagan
5. Mr.N.Padmanaban

... 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 3 to take enforcement action under the Town and Country Planning Act against the illegal and unauthorized constructions put up at No.103, Old No.45, Eldams



W.P.No.28296 of 2025

Road, Teynampet, Chennai-600 018 by the 4th and 5th Respondents in pursuant to the representation dated 12.07.2025 and the letter dated 25.06.2025 issued by the 3rd respondent to the 4th Respondent expeditiously and in accordance with law.

For Petitioner : M/s.S.Priyadarshini
For R1 : Mr.Akhil Akbar Ali
Standing Counsel
For R2 & R3 : Mr.D.B.R.Prabu
Standing Counsel

ORDER

(By J.Nisha Banu,J.)

This Writ Petition has been filed for a direction to the respondents 1 to 3 to take enforcement action under the Town and Country Planning Act against the illegal and unauthorized constructions put up at No.103, Old No.45, Eldams Road, Teynampet, Chennai, by the 4th and 5th Respondents, pursuant to the representation dated 12.07.2025 and the letter dated 25.06.2025 issued by the 3rd respondent to the 4th Respondent expeditiously and in accordance with law.

2. Mr.Akhil Akbar Ali , learned Standing Counsel takes notice for R1. Mr.D.B.R.Prabu, learned Standing Counsel takes notice for R2 and R3. Notice to R4 & R5 is dispensed with, as no adverse order is going to be



W.P.No.28296 of 2025

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passed against them. By consent, the Writ Petition itself is taken up for final disposal at the admission stage.

3. It is the case of the petitioner that his daughter is a resident of Teynampet, near Eldams Road and he used to visit her house. The 4th respondent, who is the daughter of a deceased veteran Actor, had greedily constructed a building without any set back space all around and exceeded floor space index multiple times. Though she had given an undertaking to demolish the building, the 3rd respondent has not taken any action against the 4th respondent for not complying with the undertaking. The petitioner has given a representation dated 12.07.2025 to the respondents 1 to 3 for taking enforcement action under the Act, 1971 and it did not evoke any response. Hence, the petitioner is before this Court.

4. Though the petitioner has come out with a larger prayer, the learned counsel for the petitioner would submit that it would suffice, if the respondents 1 & 2 are directed to consider the representation of the petitioner.



W.P.No.28296 of 2025

WEB COPY

5. Learned Standing Counsel appearing for the respondents 1 & 2 stated that a considerable time may be granted to the respondents 1 & 2 for considering and passing appropriate orders on the representation of the petitioner.

6. Considering the facts and circumstances of the case and also the submission of the counsel for the petitioner, we deem it fit that it would suffice to direct the respondents 1 & 2 to consider the representation of the petitioner dated 30.01.2025. Accordingly, this Court, without expressing any opinion on the merits of the matter, directs the respondents to consider the representation dated 30.01.2025 of the petitioner, by giving an opportunity of personal hearing to the petitioner and R4 and thereafter, pass necessary orders on merits and in accordance with law. Such an exercise shall be carried out within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition is disposed of.
No costs.



W.P.No.28296 of 2025

(J.N.B,J.,) (M.J.R,J.,)
29.07.2025

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Index: Yes / No

Internet: Yes / No

Speaking Order/Non Speaking Order
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To:

1. The Commissioner,
Erode Municipal Corporation,
Brough Road, Erode District.
2. The Assistant Commissioner,
Erode Municipal Corporation Division-2,
Thindal, Erode District.
3. The Assistant Director,
Erode Town and Country Planning Authority Office,
Uzhavar Sandhai, Backside To Farmers Market,
Sampath Nagar, Erode District.



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W.P.No.28296 of 2025

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

W.P.No.28296 of 2025



WEB COPY



W.P.No.28296 of 2025

29.07.2025