



WP No.33506 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.12.2025

CORAM

THE HON'BLE MR.MANINDRA MOHAN SHRIVASTAVA,

CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE G.ARUL MURUGAN

WP No.33506 of 2025
and WMP No.47645 of 2025

Partha Sarathy Boopathy

.. Petitioner

-vs-

1. The Government of Tamil Nadu,
Rep. by its Principal Secretary,
Department of Revenue and Disaster
Management, Secretariat,
Fort St. George, Chennai 600 009.
2. The Commissioner,
Avadi City Municipal Corporation,
Avadi, Chennai 600 054.
3. The District Collector,
Thiruvallur District, Collectorate,
Thiruvallur 602 001.
4. The Tahsildar,
Avadi Taluk Office, Avadi,
Chennai 600 054.
5. The Revenue Inspector,
Avadi Zone, Avadi, Chennai 600 054.

6. P.Nemara

.. Respondents



WP No.33506 of 2025

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 to 6 to remove the encroachment in Survey Nos.545/1 and 545/2, T.S.No.40 and 41, Block No.113, Ward 'D', Senthil Nagar, measuring an extent of 20 feet road, Cholambedu, Avadi, Chennai.

For Petitioner : M/s.R.Sripriya
Thro' Video Conferencing

For Respondents : Mr.E.Vijay Anand
Addl. Govt. Pleader
for RR 1, 3 to 5
: Mr.RA.Gopinath
Stdg. Counsel for R-2
: Mr.S.N.Ravikumar
for R-6

* * * * *

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

On the allegation of encroachment by the 6th respondent, a survey was conducted by the Tahsildar and other authorities and the counter-affidavit filed before the Court shows that there is encroachment. It is further stated before the Court and what is reflected from the counter-affidavit is that action has been initiated against the 6th respondent by initiating eviction proceedings by way of issuing notice Section 128(1)(b) of the Tamil Nadu Urban Local Bodies Act,1998. He would further submit that as no response is received,



WP No.33506 of 2025

the Corporation is proceeding to evict the 6th respondent and has also sought police protection.

2. Learned counsel appearing for the 6th respondent submits that the action taken by the Corporation is illegal.

3. It is open for the 6th respondent to take such legal proceedings as may be available to him against the orders or actions taken by the corporation authorities.

Petition is closed. There shall be no order as to costs. Consequently, the impleading application, viz., W.M.P.No.47645 of 2025 also stands closed.

(MANINDRA MOHAN SHRIVASTAVA, CJ.) (G.ARUL MURUGAN, J.)
02.12.2025

Index : Yes/No
Neutral Citation : Yes/No

sra

THE HON'BLE CHIEF JUSTICE
AND



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WP No.33506 of 2025

G.ARUL MURUGAN, J.

(sra)

To

1. The Principal Secretary,
Government of Tamil Nadu,
Department of Revenue and Disaster
Management, Secretariat,
Fort St. George, Chennai 600 009.
2. The Commissioner,
Avadi City Municipal Corporation,
Avadi, Chennai 600 054.
3. The District Collector,
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WP No.33506 of 2025

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