



W.P.No.33324 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.12.2025

CORAM :

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.33324 of 2025
and W.M.P.No.37462 of 2025

Farzana
W/o.Mohammed Yousuf,
Door No. 5/26 Sheik Maistry Street,
Darga Colony 2nd Street,
Royapuram,
Chennai-600 013

Petitioner

Vs

- 1.The Commissioner
Greater Chennai Corporation,
Chennai
- 2.The Executive Engineer
Zone 5,
Greater Chennai Corporation,
Chennai-600 013
- 3.The Assistant Engineer
Division 50 Unit 12,
Greater Chennai Corporation,
Chennai-600 013



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4.The Tamil Nadu Waqf Board
rep. by its Chief Executive Officer,
No.1, Jaffer Syrang
Vallal Seethakathi Nagar,
Chennai-600 001

5.Salima
W/o. Mohammed Ghani,
Door No.5/26, Sheik Maistry Street,
Darga Colony 2nd Street,
Royapuram
Chennai-600 013

Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents 1 to 3 to implement the proceedings in Notice No.05/024/2025 dated 14.07.2025 issued to 5th respondent in regard removal of unauthorised construction made in Door No.5/26, Sheik Maistry Street, Darga Colony 2nd Street, Royapuram, Chennai-13.

For Petitioner: Ms.R.Sripriya
(through Video Conferencing)

For Respondents: Mr.A.Arun Babu
Standing Counsel
for respondent Nos.1 to 3

M/s.Rajeswari Karthikeyan
Standing Counsel
for respondent No.4

Mr.R.Gururaj
for respondent No.5



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ORDER

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

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Heard learned counsel for the parties.

2. The relief sought in this petition is to direct respondent Nos.1 to 3 to implement the proceedings in notice dated 14.07.2025 issued to respondent No.5 in regard to removal of unauthorised construction made in Door No.5/26, Sheik Maistry Street, Darga Colony 2nd Street, Royapuram, Chennai-600 013.

3. The Corporation, in its reply, has stated that notice for removal of unauthorised construction has already been issued on 14.07.2025 and, if it is found that illegal construction has not been removed, the Corporation shall proceed to direct de-occupation and removal of the illegal construction put up by respondent No.5.

4. The stand of the Waqf Board also appears to be that the construction is illegal.

5. In that view of the matter, this petition is disposed of with a



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direction to the Corporation to take appropriate action in continuation of the notice dated 14.07.2025. This order is passed as there is no challenge to the notice dated 14.07.2025 by respondent No.5.

6. This order should not be treated as stamp of approval to the legality and validity of the notice dated 14.07.2025. To put it straight, when there is neither a challenge to the notice dated 14.07.2025 by respondent No.5, nor any stay of operation of such proceedings, the Corporation has to proceed further to bring its action to its logical conclusion. The Corporation shall take necessary action within a period of three months.

The petition is, accordingly, disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(MANINDRA MOHAN SHRIVASTAVA, CJ) (G.ARUL MURUGAN,J)
10.12.2025

Index : Yes/No
Neutral Citation : Yes/No
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To:

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Zone 5,
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Chennai-600 013
- 3.The Assistant Engineer
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THE HON'BLE CHIEF JUSTICE
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