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W.P.No.39232 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.10.2025

CORAM :

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.39232 of 2025

M/s. Twelve Jan Flat Owners Association
Registration No.SRG/Chennai Central/112/2025
Rep. by its President M.Krishnamoorthy
Jan Apartments
Old No.11, New No.4, Karnan Street
Kodambakkam
Chennai - 600 024 .

.. Petitioner

Vs.

1. The Commissioner
Greater Corporation of Chennai
Ripon Buildings
Chennai - 600 003.
2. The Member Secretary
Chennai Metropolitan Development
No.1, Thalamuthu Natarajan Building
Gandhi Irvin Road, Egmore
Chennai - 600 008.
3. The District Revenue Officer/Zonal Officer – 10
Greater Corporation of Chennai
No.117, N.S.K.Salai, Kodambakkam
Chennai – 600 024.



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4. The Executive Engineer
Division No.110
Dr.Ambedkar Road
Kodambakkam
Chennai - 600 024.

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus to direct the Respondents herein to remove unauthorized constructions in the Set Backs Areas of the premises/Flats at Door No.4/11 (11/11), Karnan Street, Kodambakkam, Chennai 600 024 in terms of the Proceedings in Ma.A.10.Na.Ka.No.C5/1228837/2025 dated 28.03.2025 of the 3rd Respondent and the Notice no.10/00104/11/2025 dated 30.04.2025 of the 4th Respondent and restore the Buildings to its original position as per the approved plan within a time frame as fixed by this Hon'ble Court.

For Petitioner : Mr.N.Nithianandam

For Respondents : Mr.D.B.R.Prabhu
Standing Counsel
for Respondents 1, 3 & 4

Mrs.P.Veena Suresh
Standing Counsel
for Respondent-2



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ORDER

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

The grievance, which has brought the issue before this Court through this petition under Article 226 of the Constitution of India, is that even though on the complaint regarding illegal construction made in the open spaces by one of the flat owners, enquiry has been conducted but it is not being brought to its logical conclusion.

1.1. Person against whom the allegation of illegal construction has been raised is not a party in this petition. Therefore, we cannot issue any direction to the Corporation.

2. However, the proceedings which have been initiated by the Corporation should be brought to its logical conclusion one way or other expeditiously. Moreover, the person against whom allegation is made is also entitled to an opportunity of hearing. If that has not been given, opportunity of hearing shall be afforded to the concerned person against whom the allegation is made. The entire proceedings should be concluded within three months from the date



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of receipt of copy of this order by the first respondent.

3. Petition is disposed of. There shall be no order as to costs.

(MANINDRA MOHAN SHRIVASTAVA, CJ) (G.ARUL MURUGAN,J)
24.10.2025

Index : Yes/No
Neutral Citation : Yes/No

kpl

To

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THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN,J.

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