



W.P.No.450 of 2

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No. 450 of 2025
and
W.M.P.No.518 of 2025

Arulmighu Pidari Ayiram Kathamman Koil Trust,
Rep. by its Secretary, Mrs.M.Arasu,
No.191/2, Santhana Krishnan Street,
Manali, Chennai - 600 068.

...Petitioner

Vs.

1.The Commissioner,
Greater Chennai Corporation,
Chennai - 600 003.

2.The Zonal Officer,
Zone - II, Manali,
Corporation of Chennai,
Chennai - 600 068.

3.The Assistant Engineer,
Ward - 20, Zone - II,
MGR Nagar 1st Street,
Manali Zone, Chennai - 600 068.

4.The Assistant Engineer,
Tamil Nadu General and Distribution Corporation Ltd.,
M.G.R.Nagar, Manali,
Chennai - 600 068



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5.Periyathoppu Grama Va.Vu.Si Podhu Nala Trust,
Rep. by its President,
65, Srinivasa Perumal Koil Street,
Periyathoppu, Chennai - 600 068.

...Respondents

Prayer: Writ Petition filed under 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 3 herein to issue orders of locking and sealing of the premises, demolition of the building, prosecution of the owner as a follow up of stop work notice dated 24.08.2024 against the illegal construction being carried out by the 5th respondent in the land in S.No.191/2 at Santhana Krishnan Salai, Manali Village belonging to the petitioner Trust Temple.

For Petitioner : Mr.R.Dhamodaran

For Respondents : Mr.G.T.Subramanian for R1 to R4

ORDER

It is the case of the petitioner that the private respondent namely, 5th respondent has encroached upon the petitioner's property and is putting up construction unauthorizedly.

2. This is not a case, which would come under Article 226 of the Constitution of India. If somebody encroach upon the property of the



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petitioner and puts up construction, it is open to the petitioner to file an appropriate civil suit. The petitioner wants to get the decree for possession under Article 226, which cannot be granted. Hence, this Writ Petition is **dismissed**. No costs. Consequently, connected miscellaneous petition is closed.

(R.S.M., J.) (C.K., J.)
09.01.2025

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Index: No
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Neutral Citation : No



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