



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-03-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

WP No. 9351 of 2026

The Superintendent Engineer
Vellore Electricity Distribution circle /
TANGEDCO, Gandhi Nagar,
Vellore District -632 006.

..Petitioner(s)

Vs

1. The Commissioner
Vellore City Municipal Corporation,
Vellore District
2. The District Collector
Vellore District
3. The Executive Engineer
Tamil Nadu Housing Board,
Sathuvachari, Vellore.
4. The Member Secretary
Vellore Local Planning Authority,
Directorate of Town and Country Planning,
Vellore.
5. Vallalar (Phase3) Residents Welfare
Association,
Regd No 490 / 1995
Rep. by its president G.Mohan No.264/2,
Nethaji Bose main Road, Phase-III,
Sathuvachari, Vellore 632 009

..Respondent(s)

Writ Petition filed under Article 226 of the Constitution of India
issuing writ of certiorarified mandamus call for the records relating to the



impugned notice bearing Na.Ka.No.1842/2024/F1./M2, dated 05.11.2025 issued by the 1st Respondent and quash the same and consequently, forbearing the respondents from disturbing, dismantling or removing the petitioners Electrical sub-station 110/11KV Sathuvachari situated at SF.No.181 and 192/2, Zone -II, OSR Site No.R12. Vellore District and Pass such further or other orders as may be deemed fit and proper in the facts and circumstances of the case

For Petitioner(s): S Madhusudanan
Standing Counsel for TANGEDCO

For Respondent(s): MR.T.Arun kumar AGP for R2 to R4

ORDER

(Order of the Court was made by S.M.Subramaniam J.)

Show cause notice issued under Section 128 of Tamil Nadu Urban Local Bodies Act, dated 05.11.2025 is under challenge in the present writ petition.

2. Learned counsel for the petitioner would submit that authorities have already predetermined the issue by stating that they will remove the encroachments. Thus, the present writ petition is to be considered.

3. Section 128 of the Act provides ***“Power to remove encroachment from the public place”***. Subsection 1(b) contemplates that,

(b) remove any immovable structure whether permanent or of temporary nature encroaching the street or public place or the land



belonging to the departments of the Central or State Government within the municipal limit, after issuing a show cause notice for such removal, returnable within a period of seven days from the date of receipt, thereof :

4. Show cause notice is issued after identifying the encroachments by Commissioner, Municipality. Therefore, an opportunity is granted to the encroachers for removal of encroachments by themselves or submit their explanation along with the documents, if any, defending their case.

5. In event of receipt of any representation, Commissioner, Municipality has to consider the same, and thereafter, take a final decision for removal of encroachments, if any identified. This being the procedure as contemplated under Section 128 of the Act, show cause notice provides no cause for institution of writ proceeding.

6. Granting liberty to the petitioner to submit his representation if any, present writ petition is dismissed. No costs. Consequently, the connected miscellaneous petitions, if any, are closed.

(S.M.S.,J.) (K.S.,J.)
13-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

GD



To

1. The commissioner
Vellore City Municipal corporation,
Vellore District
2. the District Collector
Vellore District
3. The Executive Engineer
Tamil Nadu Housing Board, Sathuvachari,
Vellore.
4. The Member Secretary
Vellore Local Planning Authority, Directorate of
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WP No. 9351 of 2



**S.M.SUBRAMANIAM, J.
AND
K.SURENDER, J.**

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