



WEB COPY

WP No. 2867 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-02-2026

CORAM

**THE HONOURABLE Mr.JUSTICE S. M. SUBRAMANIAM
AND
THE HONOURABLE Mr.JUSTICE C.KUMARAPPAN**

WP No. 2867 of 2026

Lakshman
S/o. Late. Veeraraghavan,
New No.2, Thiruvanmiyur,
Sivagamipuram, 1st Cross Street,
Thiruvanmiyur, Chennai-600 041

Petitioner(s)

Vs

The Regional Deputy Commissioner
(South)
Greater Chennai Corporation,
No.115, Dr. Muthulakshmi Salai
Adyar Chennai 20.

Respondent(s)

For Petitioner(s): Mr.MV.Siddharth

For Respondent(s): Mr.M.Suresh Kumar,
Additional Advocate General
Assisted By Ms.P.T. Rama Devi,
Standing Counsel For RR1 & 2

ORDER

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

Writ on hand has been instituted challenging the notice issued under
Section 128 of the Tamil Nadu Urban Local Bodies Act.



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2.The main contention raised by the petitioner is that the Regional Deputy Commissioner, Greater Chennai Corporation has no powers to issue notice under Section 128 of the Tamil Nadu Urban Local Bodies Act. This being the ground raised in the writ petition to assail the impugned notice, the learned Additional Advocate General would urge this Court that under Section 57(4) of the Tamil Nadu Urban Local Bodies Act “*The Commissioner may delegate any of the powers, duties or functions conferred or imposed upon or vested in him by or under this Act to the holder of any municipal office in accordance with such guidelines as may be prescribed.*”

3.In exercise of the powers conferred under Section 57(4) of the Tamil Nadu Urban Local Bodies Act, the Commissioner, Greater Chennai Corporation delegated the powers to the respective Regional Deputy Commissioners to initiate enforcement actions for removal of encroachments by invoking Section 128 of the Tamil Nadu Urban Local Bodies Act. The same is extracted hereunder:-



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L.C.C.No.IC1/1102/2025

Greater Chennai Corporation,
Legal Cell.

Dated: 14.03.2025.

Proceedings of the Commissioner, Greater Chennai Corporation

Present: Thiru.J. Kumaragurubaran, I.A.S.,
Commissioner.

Sub.: Tamil Nadu Urban Local Bodies Act, 1998, u/S 128 –
Powers delegated to the Sub-ordinate Officers – Orders
issued.

Order:

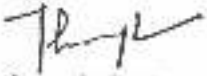
As per the Section 128 of the Tamil Nadu Urban Local Bodies Act, 1998, the power to remove encroachments from public place vested with the Commissioner and the Commissioner may issue notice.

To take speedy action to remove the encroachments from public places, the power vested with the Commissioner to issue notice u/S 128 of the Tamil Nadu Urban Local Bodies Act, 1998, is hereby delegated to the respective Regional Deputy Commissioners.

**Delegation of power to issue notice u/S 128 of the Tamil Nadu
Urban Local Bodies Act, 1998**

Existing	Delegated to
The Commissioner	The respective Regional Deputy Commissioners

This order will take effect at once.


Commissioner

To

The Additional Commissioner (Health)
The Joint Commissioner (Education)
The Deputy Commissioners (Works) & (Revenue & Finance)
The Regional Deputy Commissioners (North), (Central) & (South)
All Head of Departments
All Zonal Officers



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4. Since the powers are delegated, the impugned notice cannot be said to be without jurisdiction. Therefore, the petitioner is at liberty to submit his explanations along with the documents if any to the Authorities for consideration. On receipt of the same, the same may be considered and appropriate further enforcement actions shall be continued in the manner known to law.

5. With the above observations, this writ petition stands dismissed. No costs.

(S.M.SUBRAMANIAM J.)(C.KUMARAPPAN J.)
02-02-2026

Index: Yes
Speaking order
Internet: Yes
Neutral Citation: Yes/No
kmi

To

1. The Regional Deputy Commissioner
(South)
Greater Chennai Corporation, No. 115,
Dr. Muthulakshmi Salaim Adyar
Chennai 20



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