



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-06-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 2872 of 2020

and W.M.P.Nos.6878, 6877, 6874, 5863, 6436, 5788, 3319 & 6879 of 2020

1. Ramakrishnan Viswanathan
2. Balakrishnan Viswanathan
3. Kamala Viswanathan

..Petitioner(s)

Vs

1. The Commissioner,
Greater Chennai Corporation, Ripon Building,
Chennai 600003. Chennai.
2. The Zonal Officer,
Greater Chennai Corporation,
Dr. Muthulakshmi Salai,
Adyar, Chennai 600020
3. Saravanan,
4. Sashibushan Ramlu,
5. Elliots Beach Flat Owners Welfare Association,
No. L-10/ 1, 27th Cross Street, Besant Nagar,
Chennai – 600090.

..Respondent(s)

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the first and second respondents to prevent any demolition, renovation or construction in Old No. 48, New No. 6, L 19/1 and 19/3, 26th Cross Street, Besant Nagar, Chennai 600090, which may compromise on the strength and integrity of the load bearing wall of the property belong to the Petitioner and the 4th Respondent in Door Nos. L 19/ 2 and 19/4 forthwith and take further steps in accordance with law and consequentially direct the 1st and 2nd Respondents to bring the load bearing wall at Old No. 48, New No. 6, 26th Cross Street, Besant Nagar, Chennai 600090 back to its original strength at the sole cost of the 3rd Respondent.



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For Petitioner(s):

Mr.S.Kamalesh
for Mr.Rahul Balaji

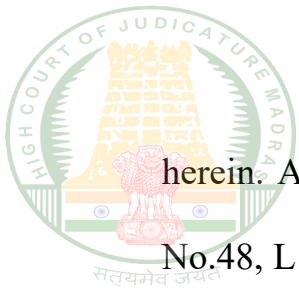
For Respondent(s):

Mr.S.Gopinathan, Senior Counsel
for RR-1 & 2Mr.V.Karthick, Senior Counsel
for M/s.Adithya Varadarajan for R-3**ORDER**

The present Writ Petition has been filed seeking a direction to the first and second respondents to prevent any demolition, renovation or construction in Old No. 48, New No. 6, L 19/1 and 19/3, 26th Cross Street, Besant Nagar, Chennai 600090, which may compromise on the strength and integrity of the load bearing wall of the property belonging to the Petitioner and the 4th Respondent in Door Nos. L 19/ 2 and 19/4 forthwith and take further steps in accordance with law and consequentially direct the 1st and 2nd Respondents to bring the load bearing wall at Old No. 48, New No. 6, 26th Cross Street, Besant Nagar, Chennai 600090 back to its original strength at the sole cost of the 3rd Respondent.

2. Facts in Brief:-

The superstructure at New No.6-4, 26th Cross Street, Besant Nagar, Chennai - 600 090 was a LIG Flat initially built by the Tamil Nadu Housing Board in 1982 was sold to one G.Saguntala vide sale deed dated 27.02.1982. Subsequently, the property was conveyed to the father of the 1st and 2nd Petitioner namely K.Viswanathan who was the husband of the 3rd petitioner



herein. After his demise, the petitioners inherited the Flat No.19/4, at Old No No.48, L 19/4 New 6-4, 26th Cross Street, Besant Nagar, Chennai-600090 which forms part of an integrated structure consisting of 4 flats connected in 1 building. Whiles, the 3rd respondent without obtaining the “No Objection certificate” from the petitioners or the authorities concerned, had demolished the common load bearing wall in the absence of the 1st petitioner despite the repeated approaches by the family members of the petitioners to the 3rd respondent seeking to prevent the alleged construction activities as also to the police officials seeking intervention to prevent such activities. It is further averred by the petitioner that the said demolition and construction activities had been carried out by using Jack Hammers and JCPs thereby causing damage to the load bearing wall which has adversely affected the stability of the building. Though the 1st petitioner’s wife approached the 1st and 2nd respondent for taking necessary action in this regard, till date, no action has been taken by them. Aggrieved by the same, the petitioner has come up with the present Writ Petition.

3. Learned counsel appearing for the petitioner submitted that, pursuant to the orders passed by this Court, the Executive Engineer had already filed a report before this Court stating that there are some damages in the common wall which was shared by the petitioner as well as the private respondents. Hence, this Court may direct the respondents to pay the compensation to the petitioner



to the tune of Rs.1,00,000/- to the petitioner so as to enable the petitioner to carry on with the repair works.

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4. Learned senior counsel appearing for the respondents fairly submitted that the compensation amount will be paid within a period of one week from the date of receipt of a copy of this order.

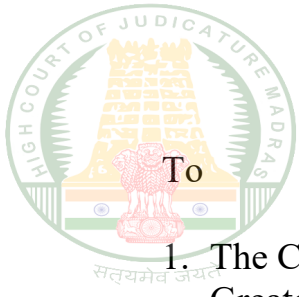
5. In view of the aforesaid submissions, the 3rd respondent is directed to pay a sum of Rs.1,00,000/- as compensation to the petitioner by way of demand draft within a period of one week from the date of receipt of a copy of this order and thereafter, proceed with the construction activities without affecting the load bearing wall which was enjoyed by the petitioner after obtaining necessary approval from the authorities concerned.

6. This Writ Petition stands disposed of with the aforesaid direction. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

03-06-2026

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

NHS



To

1. The Commissioner,
Greater Chennai Corporation,
Ripon Building, Chennai 600003.

2. The Zonal Officer,
Greater Chennai Corporation,
Dr. Muthulakshmi Salai,
Adyar, Chennai – 600 020



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WP No. 2872 of 2



M.DHANDAPANI, J.

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