



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-02-2026

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THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

WP No. 5924 of 2026

and

WMP No. 6439 of 2026 & WMP No. 6441 of 2026

D.Sugumar
S/o. Duraivelu,
X-13, Prakasam Street,
Gangakaraipuram,
C- Block, T.Nagar,
Chennai 17

..Petitioner(s)

Vs

1. The Government of Tamil Nadu
Rep. by its Secretary,
Department of Housing and Urban
development,
Fort St.George, Chennai 09
2. The Chairman
Tamil Nadu Slum Clearance Board,
Presently Tamil Nadu Urban Habitat
Development Board,
Chennai 05
3. The Executive engineer
Division, 4,
Tamil Nadu Urban Habitat Development
Board,
Chennai 18

..Respondent(s)

To call for the records of the general impugned notice dated
9.01.2026 passed by the 3rd respondent quash the same and



consequently to direct the respondents to consider the judgement and decree passed by the Honble XVIII Asst. City Civil court in Os No. 8702/ 1981 , 8703/ 1981 , 8704/ 1981 , 8705/ 1981 , 8706/ 1981 , 8707/ 1981 , 8708/ 1981 , 9010 / 1981 , 9011 / 1981 , 9012 / 1981 , 9015 / 1981 , 9354 / 1981 , dated 28.01.1985 and 9013/1981 dated 2.03.1985 passed in favour of the petitioner in accordance with law .

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For Petitioner(s): Mr.S.Mohanavadivelan

For Respondent(s): Mr.T.Arun Kumar, AGP for R1.
Mr.B.Balaji,
Standing Counsel for
TNUHDB for R2 & R3.

Order

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

Writ Petition has been instituted challenging the notice issued by the Tamilnadu Urban Habitat Development Board for eviction of encroachers from the boundaries of tenement, since it is causing obstructions to the tenement as well as the public at large and to construct a new block by demolishing the existing structures.

2. Learned counsel for the petitioner would submit that the petitioner has already instituted a Civil Suit and a decree came to be issued in his favour.

3. In the present writ petition, the petitioner has challenged the eviction



notice. If at all the petitioner claims any right, he has to reply to the notice by submitting a representation along with documents, if any.

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4. However, the learned Standing Counsel appearing for the Tamilnadu Urban Rehabitat Development Board would submit that the petitioner is found to be eligible for allotment and since an application has not been submitted by the petitioner, his case was not considered for allotment and in the event of receiving an application from the petitioner, subject to eligibility, his case will be considered. Therefore, the present writ petition is unnecessary. Hence, the Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

(S.M.S.,J.) (C.K.,J.)
20-02-2026

VSI

To

1. The Secretary, Government Of Tamil Nadu
Department of Housing and Urban
Development,
Fort St.George, Chennai 600 009
2. The Chairman
Tamil Nadu Slum Clearance Board,
Presently Tamil Nadu Urban Habitat
Development Board, Chennai 600 005
3. The Executive Engineer,
Division, 4,
Tamil Nadu Urban Habitat Development
Board, Chennai 18



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**S.M.SUBRAMANIAM J.
and
C.KUMARAPPAN J.**

VSI

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