



WEB COPY



W.P.No.7162 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

W.P.No.7162 of 2026

and

W.M.P.Nos.7772 and 7774 of 2026

Revathi Elumalai
W/o. Elumalai,
X-21, Prakasam Street,
Gangakaraipuram, C-Block, T.Nagar,
Chennai-600 017.
Currently Residing at
No.42, Mariamman Koil Street,
Padunelli Kammavarapalayam,
Kancheepuram -631 502.

... Petitioner

vs.

1. The Government of Tamil Nadu
Represented by its Secretary
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.



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3.

The Executive Engineer
Division-4
Tamil Nadu Urban Habitat Development Board
Chennai-600 018.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus, calling for the records of the general impugned notice dated 09.01.2026 pasted by the 3rd respondent, quash the same and consequently, to direct the Respondents to consider the Judgment and Decree passed by the Honble XVIII Asst. City Civil Court in O.S. No.9354/1981 dated 28.01.1985 passed in favour of the Petitioner in accordance with law.

For Petitioner	:	Mr.S.Mohanavadivelan
For Respondents	:	Mr.Abishek Murthy Government Advocate, for R1 Mr.B.Balaji Standing Counsel for R2 & R3

ORDER

The present writ petition has been instituted challenging the notice issued by the Tamil Nadu 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.



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2. The petitioner has already instituted a Civil Suit and a decree came to be issued. Learned counsel for the petitioner would submit that the execution petition has also been filed. Under these circumstances, the present writ petition is not maintainable.

3. However, the learned Standing Counsel appearing for the Tamil Nadu Urban Rehabitat Development Board would submit that the petitioner is found eligible and allotment order has been issued to the petitioner. That being the factum, the writ petition is unnecessary. Hence, the Writ Petition stands dismissed. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

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

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

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

mk

To

1. The Government of Tamil Nadu
Represented by its Secretary
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
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