



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-03-2026

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THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

WP No. 6764 of 2025

M.Nagur Meeran

..Petitioner(s)

Vs

1. Thiruvallur District Collector
District Collector Office, Thiruvallur District-
602 001.
2. Revenue Divisional Officer
Revenue Divisional Office, Ponneri,
Thiruvallur District- 600 060.
3. Tahsildar
Tahsildar Office Ponneri,
Thiruvallur District- 600 060.
4. Executive Officer
Naravari Kuppam , Town Panchayat
Office, Redhill , Thiruvallur District- 600
052.
5. The Commissioner Of Police
Commissioner Office, Avadi, Chennai-
600 062.
6. Inspector Of Police (I And O)
M-4 Sengundram Police Station,
Sengrundram, Chennai-052.
7. Assistant Divisional Engineer
Highways Department No.4, Station
Road, Varadharajapuram, Ambattur,



Chennai-53.

8. B.Dayalan, (deceased)
(R8-suo Motu Impleaded As Per Order
Dated 25.02.2025 In Wp.6764/2025 By Msj
And Kgtj)

9. Mrs.Saraswathi

10.Harish

11.Priya

12.Rajesh
(R9 To R12 are Suo Motu Impleaded As
Lrs Of Deceased R8, As Per Order Dated
11.03.2025 In Wp.6764/2025)

..Respondent(s)

Writ Petition filed under Article 226 of the Constitution of India issuing writ of certiorarified mandamus to quash the notice in Na.Ka. No.375/ 2024/A3 dated 15.02.2025 issued by the 4th respondent, Na.Ka. No.375/ 2024/A3 dated 17.02.2025 issued by the 4th respondent and Na.Ka. No. 165/2024/Aa3 dated 17.02.2025 issued by the 3rd respondent consequently direct the Respondents not to disturb the petitioner to continue his business.

For Petitioner(s): Mr.S.Thirumurugan

For Respondent(s): Mr.T.Arunkumar
Additional Government Pleader for R1-3 & 7
Mr.T.M.Rajangam for R4
Mr.M.Babu Muthumeeran
Additional Public Prosecutor for R5&6
R8 – Deceased (steps taken)
Mr.S.Parthasarathy for R9-12



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

Show cause notice issued by the Executive Authority of Town Panchayat for removing the encroachment is under challenge in the present writ petition.

2. The authorities identified encroachments based on the complaint given by the traders, and after conducting survey, issued show cause notice for removal of encroachments. Encroachers filed the present writ petition, mainly on the ground that, no opportunity was given to them. Notice would indicate that the encroachers themselves may vacate the encroached portion within the time limit stipulated, and in alternate submit their explanation along with the documents, if any, to the authorities, who in-turn is bound to consider the same, and thereafter, take a final decision for removal of encroachments.

3. This being the procedure as contemplated under the Tamil Nadu Urban Local Bodies Act, more specifically under Section 128, petitioner is at liberty to submit his representation, if any, within a period of ten days from the date of receipt of a copy of this order, and on receipt of



the same, the authorities may take a final decision and remove the encroachments.

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4. As far as the claim of the petitioner is are concerned, he is at liberty to submit his application to the competent authority for grant of permission in the vending zone enabling him to run his business. It is needless to state that vending or hawking must be done within the zone earmarked by the Committee under the provisions of the Act. However, encroachers can never be allowed causing obstruction to other traders.

5. Thus, respondents shall proceed with the eviction proceeding and conclude the same within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above directions, the writ petition is dismissed. No costs. Consequently, the connected miscellaneous petitions, if any, are closed.

(S.M.S.,J.) (K.S.,J.)
11-03-2026

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

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To

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

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