WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-10-2026

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE R.RAJESH VIVEKANANTHAN

W.P.No.9371 of 2026

CNR:{HCMA010462292026}
AND
W.M.P.Nos.10096, 10097, 10099 and 10100 of 2026

Anil chauhan

… Petitioner

-vs-

1. Greater Chennai Corporation
   Represented by its Commissioner
   Rippon building, Poonamalle High Road,
   Chennai - 600 003.

2. Regional Deputy Commissioner (North)
   Zone -5, Roypauram,
   No.62, Basin Bridge Road, Old
   Washermantpet, Chennai - 600 021.

… Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, calling for the records of the 2nd Respondent relating to the notice bearing No. Z.O.V.C.No./1/2025 dated 20.01.2026, quash the same and consequently direct the Respondents, particularly the 2nd Respondent, to consider and dispose of the Petitioner's representations dated 20.11.2025, 12.12.2025, 05.01.2026, 29.01.2026 and 09.02.2026 strictly in accordance with law, after conducting a site inspection, provide a personal hearing to persons interested and to take appropriate action under Section 136 of the Tamil Nadu Urban Local Bodies Act, 1998, by

https://www.mhc.tn.gov.in/judis

WEB COPY

directing removal / culling of the offending Peepal tree or undertake that by themselves.

For Petitioner: Mr.Aniruddha Sathish
For Mr.Rahul Balaji

For Respondents: Mr.S.Gopinathan
Standing Counsel

*****

O R D E R

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

The present Writ Petition has been instituted, challenging notices issued by Regional Deputy Commissioner (North), Chennai under Section 136 of the Tamil Nadu urban Local Bodies Act, 1998 (in short 'Act, 1998').

2. Section 136 of the Act, 1998 provides power to Municipal Commissioner to order removal or demolition of dangerous buildings, trees, etc. Sub-Section 1 of Section 136 of the Act, 1998 states that where it appears to the Commissioner at any time that any building is in a ruinous condition or is in any way dangerous or unfit for human habitation or over crowding in a building, the Commissioner may, by an order in writing, require the owner or the occupier of such building to vacate, demolish, remove such building within the time limit specified in the said order. Sub-Section 2 of Section 136 of the Act, 1998 states that

https://www.mhc.tn.gov.in/judis

WEB COPY

where it appears to the Commissioner at any time that any tree is in a ruinous condition or is in any way dangerous condition in any area of a municipality, he may by order in writing remove the tree forthwith.

3. As per Sub-Section 2 of Section 136 of the Act, 1998, satisfaction of the Commissioner would be sufficient to remove any tree, if it is in a ruinous condition or is in any way dangerous condition in any area of a municipality. To be precise, if the Commissioner is satisfied that the tree is in a ruinous condition and posing life threat to anyone, he may by order in writing remove the tree forthwith.

4. In the present case, notice issued under Section 136 of the Act, 1998 is under challenge. In pursuance of the interim order of this Court, report of an Engineer was obtained, in which it is stated that tree is in dangerous position and must be removed. As per the opinion of Engineer, pipal tree should be removed at the earliest.

5. That being the factum, pipal tree, which is posing threat and is in ruinous condition, is to be removed immediately by owners / occupiers in the presence of Corporation Officials. In this regard, concerned Chennai Corporation Authorities are directed to fix a date and time and inform owners / occupiers of the building for removal of tree

https://www.mhc.tn.gov.in/judis

WEB COPY

S.M.SUBRAMANIAM,J.
AND
R.RAJESH VIVEKANANTHAN,J.
AR

within a reasonable time. In the event of failure on the part of owners / occupiers of building in removing the tree within the time stipulated by Corporation Officials, tree shall be removed by Corporation Authorities immediately thereafter and costs incurred for removal of tree shall be recovered from owners / occupiers of the building under Sub-Section 4 to Section 136 of the Act, 1998. The entire exercise is directed to be completed within a period of four weeks from the date of receipt of a copy of this order.

With the above directions, the present Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

(S.M.S.,J.) (R.R.V.,J.)
27-10-2026

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

1. The Commissioner,
   Greater Chennai Corporation
   Rippon building, Poonamalle High Road,
   Chennai - 600 003.

2. Regional Deputy Commissioner (North)
   Zone -5, Roypauram,
   No.62, Basin Bridge Road,
   Old Washermantpet, Chennai - 600 021.

W.P.No.9371 of 2026

https://www.mhc.tn.gov.in/judis