



WEB COPY

W.P.No.7820 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2026

CORAM :

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.No.7820 of 2026
and W.M.P.No.8430 of 2026

1.S.K.Sureshkumar
2.Bhagavathy
3.Neela
4.Malathi

... Petitioners

Vs.

1.The Project Officer, SIDCO,
Thiru-Vi-Ka Industrial Estate,
SIDCO Industrial Estate,
Guindy, Chennai-600 032.

2.The Branch Manager,
SIDCO Thiru-Vi-Ka Industrial Estate,
SIDCO Industrial Estate,
Guindy, Chennai-600 032.

3.The Commissioner of Corporation,
Greater Chennai Corporation,
Ripon Building, EVR Periyar High Road,
Park Town, Chennai-600 003.

4.The Executive Engineer,
Zone-13, Greater Chennai Corporation,
Guindy, Chennai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, to forbear the 3rd and 4th respondents from any manner interfering with the business of the petitioners in Shop Nos.2, 5, 1 & 10 respectively, situated at Industrial Estate, Guindy, Chennai except strictly in accordance with law.

For Petitioners : Mr.B.Vijay

For Respondents: Ms.Siddhara Sarangan



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for Ms.Shakheena Abdul Gafoor [R1 & R2]
Mr.E.C.Ramesh [R3 & R4]

ORDER

The petitioners claim to be the allottees of commercial shop establishments leased out by the respondents 1 and 2. The allotment was made in favour of the predecessors of the writ petitioners. The petitioners state that they have secured the necessary trade licences from the local body / 3rd respondent and have been eking their living. They claim that they are paying rents regularly.

2. The cause of action for the present writ petition is that on 21.02.2026, the respondents 1 to 4 started demolishing the shops situated within the SIDCO Industrial Estate. The petitioners herein state that the action of the respondents might deprive them of their living. They submitted that the Corporation Officials who are assisting respondents 1 and 2 to evict the occupants, had held out to the petitioners that they will remove the superstructure, as well as, the materials placed therein, in case the petitioners do not vacate and hand over the possession.

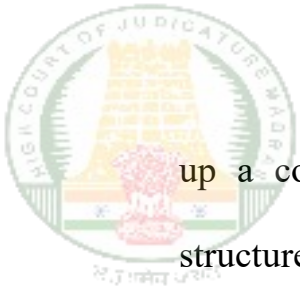
3. When the matter was taken up for hearing, I heard Mr.B.Vijay for the petitioners and Ms.Siddhara Sarangan for the respondents 1 and 2 and Mr.E.C.Ramesh for the respondents 3 and 4.



4. A perusal of the orders of allotment issued to the predecessors of the writ petitioners on 09.12.1993, 02.02.1994, 18.03.1994 and 25.06.1994 points out that what was permitted to be installed were bunk shops. Insofar as the allotment dated 18.03.1994 and 25.06.1994 are concerned, the allotment was issued to run a mobile cool drinks bunk. The photographs, which the petitioners themselves have enclosed in the typed set of papers, at page Nos.54 to 56 show that instead of running bunk shops, the petitioners have expanded their occupation by encroaching upon the lands belonging to SIDCO. In addition, they have put up concrete structures, in the place of, permitted bunk shops.

5. I pointed out to Mr.B.Vijay that such course of action as resorted to by the petitioners is contrary to all the four letter of allotments, which specifically state that no superstructure should be put up and no power connection should be availed.

6. Ms.Siddhara Sarangan filed a counter affidavit. She pointed out that the respondents 1 and 2 have handed over the maintenance of road, and street lights in its Industrial Estate situated in Ambattur and Guindy to the Greater Chennai Corporation for a period of 30 years from 06.02.2026. Prior to handing over, the SIDCO Officials had conducted inspection of the area and found that the petitioners have encroached upon the SIDCO land by putting



up a construction and, thereby, replacing the bunk shops with concrete structures. She stated that several Show Cause Notices had been issued to the writ petitioners and they did not take the notices seriously. Finally, a notice was issued on 16.12.2025, calling upon the petitioners to rectify the situation, failing which they were informed that the allotment letters itself would be cancelled. She stated that demolition work had been carried out with respect to the encroachments that had been made on the road, but SIDCO had not demolished the permanent structures with respect to the petitioners' Petty Shops bearing Nos.1, 2, 5 and 10.

7. Mr.E.C.Ramesh pleaded that the Corporation Officials are merely assisting the respondents 1 and 2 to remove the encroachments on the road and they have not taken any action independent of the directions given by the respondents 1 and 2.

8. I have carefully considered the submissions of both sides and gone through the records.

9. The petitioners are allottees of commercial shop establishments with respect to a certain lands as licensees for running bunk shops. As time went by, like the famous sheik and camel tale, the petitioners started encroaching upon the lands belonging to SIDCO. They did not confine themselves to the



area of allotment. In addition, they had also, in utter violation of the allotment order, put up superstructures. They have also secured electricity connections.

The benevolent allotment made by the respondents 1 and 2 has been taken undue advantage of by the petitioners.

10. Ms.Siddhara Sarangan, on instructions from the Officials who are present in Court, states that it is not the intention of SIDCO to throw the petitioners out of the Estate and deprive them of their living. She states that the intention of SIDCO is to ensure that the petitioners remain within the four corners of the area allotted to them and do not encroach upon the public road.

11. Mr.B.Vijay pleaded that all the petitioners are poor and the mistakes committed by the them may be condoned, as SIDCO itself, is not taking a tough stand against them.

12. As long as the structure and form of the temporary bunk shops are maintained intact, SIDCO does not have any issue. As on today, the bunk shop do not exist. There are concrete structures in its place. Hence, I do not find any mistake in the action initiated by SIDCO in demolishing the superstructure raised in contravention to the orders of allotment.

13. Yet, since SIDCO is continuing its benevolent attitude towards the



petitioners, I called upon the petitioners to file an undertaking affidavit, that they will remove the concrete structures and replace them with a bunk shop in terms of the allotment, and will remain within the area demarcated by SIDCO.

14. Mr.B.Vijay has filed undertaking affidavit which is scanned and extracted hereunder:-

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Special Original Jurisdiction)
W.P. No. 7820 of 2026

1. S.K.Suresh Kumar S/O Sugumar Shop No.2, Sabari Tea Stall, Guindy, (Opposite To Police Station) Chennai-600 032	
2. Bhagavathy S/O Shanmugam (Late) Shop No.5, Bhagavathy Tea Stall, Guindy, (Opposite To Police Station) Chennai-600 032	
3. Neela W/O Jayaram (Late) Shop No.1, Sabari Tea Stall, Guindy, (Opposite To Police Station) Chennai-600 032	
4. Malathi W/o R.L.Saleem (Late) Shop No.10, Kasi Text Foods, Guindy, (Opposite to Police Station) Chennai-600 032	Petitioners
1. The Project Officer SIDCO Thiru Vi Ka Industrial Estate, SIDCO Industrial Estate, Guindy, Chennai-600 032.	
2. The Branch Manager SIDCO Thiru Vi Ka Industrial Estate, SIDCO Industrial Estate, Guindy, Chennai-600 032	

No. of forms. m-

3) *[Signature]*
2) *[Signature]*
1) *[Signature]*
4) *[Signature]*

NOTARY
CHENNAI
(G.O.Ms.
No. 66/2021
Dt. 9/10/2020)
A. DEIVATHAN S.A.B.L. - TAMILNADU



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3. The Commissioner of Corporation
Greater Chennai corporation,
Rippon Building, EVR Periyar High Road,
Park Town, Chennai-600 003

4. The Executive Engineer
Zone 13, Greater Chennai corporation,
Guindy, Chennai.

... Respondents

UNDERTAKING AFFIDAVIT FILED BY THE PETITIONERS

We, the abovenamed Petitioners, do hereby solemnly affirm and sincerely state as follows:

1. The 1st Petitioner is S.K.Sureshkumar, running business at Shop No.2, Sabari Tea Stall, Guindy, (Opposite to Police Station), Chennai, admeasuring an extent of 150 sq.ft.
2. The 2nd Petitioner is Bhagavathy, S/o. Shanmugam (Late), running business at Shop No.5, Bhagavathy Tea Stall, Guindy, (Opposite To Police Station), Chennai, admeasuring an extent of 150 sq.ft.
3. The 3rd Petitioner is Neela, running business at Shop No.1, Sabari Tea Stall, Guindy, (Opposite To Police Station), Chennai, admeasuring an extent of 150 sq.ft.
4. The 4th Petitioner is Malathi, running business at Shop No.10, Kasi Fast Foods, Guindy, (Opposite to Police Station) Chennai, admeasuring an extent of 100 sq.ft.



1) S.K. Suresh Kumar
2) Bhagavathy
3) Neela
4) Malathi



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5. The Tamil Nadu Small Industries Development Corporation Limited (SIDCO) allotted specific demarcated vacant lands, situated opposite to J-3 Police Station, Industrial Estate, Guindy, by virtue of individual Allotment Orders issued on various dates, for defined commercial purposes. Pursuant to the said allotment, we have been continuously utilizing the land strictly for the allotted purpose and have been regularly paying the monthly rents in accordance with the terms and conditions of the allotment, without any default.
6. We have put up temporary structures (removable protrusions) solely with the bona fide intention of preventing rainwater from spilling into the shop premises and to shield customers from direct sunlight. The said structures are temporary in nature.
7. While that being so, the first respondent has initiated action to remove temporary structure erected beyond the allotted land. Aggrieved by the same, we jointly filed W.P. No. 7682 of 2026 before the Hon'ble High Court of Madras, seeking to forbear the respondents from interfering with our business except in accordance with law.
8. we hereby undertake to remove any portion of the structure, if found to be deviated or unauthorized, within a period of 15 days from the date of receipt of deviation report from the official Respondents, pursuant to identification and proper demarcation by the official respondents. We further undertake to carry out such removal at our own cost, by engaging the necessary labour and materials.



1) *[Signature]*
2) *[Signature]*
3) *[Fingerprint]*
4) *[Signature]*



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9. It is respectfully prayed that this Hon'ble Court may be pleased to direct the official respondents not to precipitate or initiate any coercive action until the process of identification, demarcation, and removal of the alleged deviated construction is duly completed.

It is therefore prayed that this Hon'ble Court may be pleased to pass suitable orders and thus render justice.

1) *[Signature]*
2) *[Signature]*
3) *[Signature]*
4) *[Signature]*

Solemnly affirmed that the contents of this Affidavit was read out in my presence to the executant who appeared perfectly to understand the same and made his signature in my presence at Chennai on this the 25th day of February, 2026.

BEFORE ME

ADVOCATE



[Signature]
A. DEVANATHAN, B.A., B.L.,
ADVOCATE, NOTARY PUBLIC
COMMISSIONER OF OATHS
Law Association, City Civil Court,
No. 100, Adal. New Law Chambers,
High Court Campus, Chennai - 600 106

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15. Ms.Shakheena Abdul Gafoor representing Ms.Siddhara

Sarangan states that SIDCO has completed the identification and demarcation of the area in which the petitioners can place their bunk shops and continue to do their business. She states that the copies of the inspection report and demarcation report will be served on the petitioners by today. In addition, Ms.Shakheena will ensure that the copy of the report will be served to Mr.B.Vijay by the end of day.

16. The petitioners are granted time till 13.03.2026 to dismantle the superstructure and replace it with the bunk shops and that too, within the area identified by SIDCO. In case the petitioners do not comply with the aforesaid directions, on or before 13.03.2026, the respondents are free to proceed further and remove the encroachments.

17. With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

26.02.2026

Index : Yes/No
Internet : Yes
Neutral Citation : Yes / No
ssn



To
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- 1.The Project Officer, SIDCO,
Thiru-Vi-Ka Industrial Estate,
SIDCO Industrial Estate,
Guindy, Chennai-600 032.
- 2.The Branch Manager,
SIDCO Thiru-Vi-Ka Industrial Estate,
SIDCO Industrial Estate,
Guindy, Chennai-600 032.
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V.LAKSHMINARAYANAN, J.,

ssn

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and
W.M.P.No.8430 of 2026

26.02.2026