



W.P.No.8647 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

WP No.8647 of 2026
and WMP Nos.9323 and 9327 of 2026

1. K.M.A.Mohamed Sulaiman
S/o K.M.Abdul Rahman
2. K.M.A.Mohamed Zahrudeen
S/o K.M.Abdul Rahman.

Both residing at Flat No.704,
7th Floor, Casagrand Monte Carlo,
New No.193, Mount Road, Little Mount,
Saidapet, Chennai - 600015.

Petitioner(s)

Vs

1. The Commissioner
Greater Chennai Corporation,
Rippon Building, Chennai-600 003.
2. The Director
Town and Country Planning,
2nd, 3rd and 4th Floor, C and E Market Road
Koyambedu, Chennai - 600107.



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3. The Member Secretary
Chennai Metropolitan Development Authority,
No.1, Gandhi Irwin Road, Egmore,
Chennai - 600008.
4. The District Collector
Chennai - 600 001.
5. The Revenue Divisional Officer
Guindy, Chennai.
6. The Tahsildar
Taluk Office, Sholinganallur.
7. Suriya Prakash
S/o Subbaih,
Flat No.1B, 1st Floor, Sow Pannika Apartments,
Ayyapam 4th Street, Pallikaranai.

Respondent(s)

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing respondents 2 and 3 to remove the unauthorized construction on the land situated in Plot No.6 and 7 comprised in Old Survey No.454/3 and New Survey No.454/3A, 1D admeasuring 2400 Sq.ft situated at Pallikaranai Village, Sholinganallur Taluk, Chennai.

For Petitioner(s): Mr.Veda Vikas
For M/s.V.Srimathi

For Respondent(s): Mr.D.B.R.Prabhu
Standing Counsel
For R1

Mr.M.Habeeb Rahman
Government Advocate
For R2, R4 to R6



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Mrs.P.Veena Suresh
Standing Counsel
For R3

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

Alleging that the seventh respondent has put up unauthorised construction over the land, which partly belongs to the petitioners, the petitioners sent representation to the respondent authorities on 7.2.2026 requesting them to inspect the property, demarcate the boundaries and to withdraw the approval granted. As the said representation did not evoke any response, the present writ petition is filed seeking issuance of a writ of mandamus directing respondents 2 and 3 to remove the unauthorized construction on the land situated in Plot No.6 and 7 comprised in Old Survey No.454/3 and New Survey No.454/3A, 1D admeasuring 2400 Sq.ft situated at Pallikaranai Village, Sholinganallur Taluk, Chennai.

2. Learned counsel for the petitioners submitted that the seventh respondent fraudulently obtained building permission in respect of the property, which partly belongs to the petitioners. The

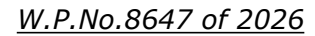


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failure on the part of the respondent authorities in inspecting the property and taking action against the seventh respondent has caused grave prejudice and injustice to the petitioners.

3. Learned counsel appearing on behalf of the respondents submit that the competent authority shall consider the representation of the petitioner dated 7.2.2026 and take necessary action in accordance with law, after affording an opportunity of hearing to all concerned.

4. The Tamil Nadu Town and Country Planning Act, 1971 has been enacted to provide for planning the development and use of rural and urban land in the State of Tamil Nadu and for purposes connected therewith. While Section 56 of the Act empowers the authorities to remove the unauthorised development, Section 57 of the Act confers power on the authority to stop the unauthorised development and Section 80A of the Act stipulates the special powers of the government.



6. In the light of the aforesaid provisions and the submission by learned counsel for the respondent/Corporation, we by direct respondent Nos.2 and 3 to consider the presentation dated 7.2.2026 of the petitioners in accordance with procedure contemplated under the Act and the Rules, referred to, and take necessary action in accordance with law within a period of eight weeks from the date of receipt of a copy of this order, of course after affording an opportunity of hearing to all concerned.



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Writ petition is disposed of with the aforesaid directions.

There shall be no order as to costs. Consequently, interim applications stand closed.

(SUSHRUT ARVIND DHARMADHIKARI,CJ) (G.ARUL MURUGAN,J)
11.03.2026

Index : Yes/No
Neutral Citation : Yes/No
sasi

To:

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G.ARUL MURUGAN,J.

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