



WP No.11278 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.03.2026

CORAM

THE HON'BLE MR.SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE G.ARUL MURUGAN

WP No.11278 of 2026

P.Jayaprabha @ Laxshmi Prabha,
No.121,Thangal Street,
Virugambakkam, Chennai -600 092.

Petitioner

Vs

1. The District Collector,
Chennai District Collectorate,
Singaravelar Maligai,
No.62, Rajaji Salai,
Chennai-600001.

2.The Commissioner,
Greater Chennai Corporation,
Ripon Building, No.53,Rajaji Salai,
Chennai -600003.

3.The Assistant Executive Engineer
/Zonal Executive Engineer,
Zone-X(Town Planning and Enforcement),
Greater Chennai Corporation,
No.64,N.S.K.Salai, Kodambakkam,
Chennai -600024.

4.The Member Secretary,
Chennai Metropolitan Development
Authority(CMDA), No.1, Gandhi Irwin Road,
Egmore, Chennai-600008.

Page 1 of 6



WP No.11278 of 2026

5.The Tahsildar,
Mambalam Taluk, K.K.Nagar,
Chennai -600078.

6.Mr.M.Chinnapa,
No.120,Thangal Street,
Virugambakkam, Chennai -600092.

Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing respondents 1 to 5, to conduct any enquiry in pursuant to Form-1 Notice was given to the encroacher /owner vide Notice No.I/N 10/128/02898/2025 dated 27.06.2025 by 3rd respondent herein and to take appropriate and necessary action as against the illegal and unauthorised construction being made by the 6th respondent and his henchmen or any other person claiming through him in S.No. 128,New S.No. 113, Block No. 7, at Door No. 121,Thangal street, Virugambakkam, Chennai

For Petitioner : Mr. V.Lokesh Kumar
For Mr. A.Ramalingam

For Respondents : Mrs. Akila Rajendran
Government Advocate
For respondents 1 and 5

Mr. A.Arun Babu
Standing Counsel
For respondents 2 and 3

Mrs. P.Veena Suresh
Standing Counsel
For respondent No.4



WP No.11278 of 2026

ORDER

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

The present writ petition filed under Article 226 of the Constitution of India seeks a Writ of Mandamus directing respondents 1 to 5 to conduct enquiry pursuant to Form-1 Notice given to the sixth respondent by the third respondent and to take appropriate and necessary action as against the illegal and unauthorised construction being made by the sixth respondent and his henchmen or any other person claiming through him in S.No.128, New S.No.113, Block No.7, at Door No. 121, Thangal street, Virugambakkam, Chennai.

2. As per the petitioner's own affidavit, it is stated that she had filed a civil suit OS No.6405 of 2017 before the City Civil Court, Chennai, against the sixth respondent, praying for a mandatory injunction directing the defendant therein and his henchmen to remove the unlawful encroachment and also for permanent injunction restraining the defendant from in any manner interfering with the petitioner's peaceful possession and enjoyment of the suit property. A decree was passed in favour of the petitioner on 20.07.2018, and thereafter, execution proceedings in EP No.2641 of 2016 was filed and



WP No.11278 of 2026

the same is pending before the City Civil Court, Chennai.

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3. Since execution petition is pending before the competent Civil Court, the petitioner shall workout her remedy in the said proceedings. Therefore, we refrain from exercising the jurisdiction under Article 226 of the Constitution of India. The petition is accordingly dismissed. There will be no order as to costs. Consequently, WMP Nos.12288 and 12286 of 2026 are closed.

(SUSHRUT ARVIND DHARMADHIKARI, CJ.) (G.ARUL MURUGAN, J.)
25.03.2026

Index : Yes/No
Neutral Citation : Yes/No
tar



WP No.11278 of 2026

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WEB COPY



WP No.11278 of 2026

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WP No.11278 of 2026

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