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W.P.No.10587 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2026

CORAM :

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.10587 of 2026

and

W.M.P.Nos.11473 & 11474 of 2026

- 1.Vaidhehi Raghunathan
- 2.Raghunathan P
- 3.S.Venkatanarayan
- 4.A.Sudha
- 5.Gowri Shankar
- 6.S.Lajwanthi
- 7.B.Shyamkumar
- 8.Jaya Krishnamurti
- 9.R.Mohanraj
- 10.G.Dharmarajan
- 11.D.Sarojini
- 12.T.A.Narasimhalu

... Petitioners

Vs.

- 1.The Commissioner,
Greater Chennai Corporation,
Ripon Building, Chennai – 600 003.
- 2.The Regional Deputy Commissioner (Central),
Greater Chennai Corporation, Regional Office – Central,
No.36B, Pulla Avenue, Shenoy Nagar,
Chennai – 600 030.
- 3.Centre for Urbanisation, Building and Environment (CUBE),
Module No.6C, 6th Floor, Phase II Building,
IIT Madras Research Park, Kanagam Road,
Taramani, Chennai – 600 113.



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4.E.Sridharan
5.R.Vasudevan
6.R.Venkatraman
7.M.Raghunathan
8.R.Subramanian

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records of the 2nd respondent pertaining to the Notice bearing Reference No.Z.O.X.C.No.1669/2026 dated 24.02.2026 issued under section 136 of the Tamil Nadu Urban Local Bodies Act, 1998 and to direct the 2nd respondent to decide the matter afresh by providing an opportunity of hearing to the petitioners herein.

For Petitioners : Mr.N.Jayakumar

For Respondents : Mr.A.Arun Babu

Standing Counsel [R1 to R3]

Notice dispensed with [R4 to R8]

ORDER

This Writ Petition has been filed challenging the impugned notice, dated 24.02.2026 issued by the 2nd respondent u/s 136 of the Tamil Nadu Urban Local Bodies Act, 1998 (in short 'the Act').

2. Mr.A.Arun Babu, learned Standing Counsel, accepts notice on behalf of the respondents 1 to 3. Since no adverse orders are passed



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against the respondents 4 to 8 in this writ petition, notice to the respondents 4 to 8 is dispensed with by this Court.

3. The petitioners are the owners of the 10 flats in the apartment complex. The apartment complex comprises of 24 flats. According to the petitioners, without their knowledge, some of the flat owners in the very same apartment complex have approached the official respondents seeking sanction for demolition and re-construction of the apartment complex. According to the petitioners, based on the said request, the impugned notice has been issued by the 2nd respondent, which according to the 2nd respondent is issued u/s 136 of the Act. According to the petitioners, the impugned notice has been issued arbitrarily and illegally and in violation of the principles of natural justice by the 2nd respondent. The petitioners have also submitted a reply to the impugned notice, dated 24.02.2026 issued by the 2nd respondent on 06.03.2026, which is also admitted to have been received by the official respondents on 13.03.2026.

4. It is also brought to the notice of this Court by the learned counsel for the petitioners that subsequent to the issuance of the impugned notice, dated 24.02.2026, an eviction notice has also been



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issued to the petitioners once again u/s 136 of the Act, calling upon the petitioners to vacate the premises for the purpose of demolition of the entire building. According to the 2nd respondent, the building is in a dilapidated condition and therefore, it has to be demolished u/s 136 of the Act. The petitioners dispute the contentions of the 2nd respondent. The petitioners also claim that they are the residents of the respective flats for a number of years and most of them are senior citizens.

5. The learned Standing Counsel appearing for the respondents 1 to 3, on instructions, would submit only based on the structural stability assessment report issued by the Centre for Urbanization, Buildings and Environment (Cube)/3rd respondent, it became necessary for the 2nd respondent to issue the impugned notice to the petitioners.

6. Admittedly, the structural stability assessment report relied upon by the learned Standing Counsel appearing for the respondents 1 to 3 was not furnished to the respective petitioners to enable them to counter the same by producing other documentary evidence to establish that there is no necessity for the immediate demolition of the building. The petitioners were also not heard prior to the issuance of the impugned



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notice, dated 24.02.2026 by the 2nd respondent. They were also not heard prior to the issuance of subsequent notice dated 13.03.2026, in which the petitioners have been called upon to vacate the premises for the purpose of demolishing the entire building. Being senior citizens and being in possession of the respective flats for a number of years, and that too, when the respective petitioners contend that there is no requirement for immediate demolition, necessarily, they will have to be heard by the 2nd respondent before any final order is passed u/s 136 of the Act. Similarly, the applicants who had sought for demolition of the building complex, who are the other residents in the very same building complex will also have to be heard and they are arrayed as respondents 4 to 8 in this writ petition.

7. No prejudice would be caused to any of the parties, if the request for demolition and for vacating the residents as per Section 136 of the Act is considered on merits and in accordance with law, after hearing the objections of the petitioners as well as the applicants who had sought for demolition, who are arrayed as respondents 4 to 8, within a time frame to be fixed by this Court.



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8. This Court is not expressing any opinion on the merits of the respective contentions.

9. Since the impugned notice has been issued in violation of the principles of natural justice, this Court is of the considered view that the impugned notice has to be quashed and remanded back to the 2nd respondent for fresh consideration on merits and in accordance with law. The consequential notice, dated 13.03.2026 issued by the 2nd respondent, which is not the subject matter of this writ petition, also has to be quashed.

10. Accordingly, the impugned notice, 24.02.2026 as well as the consequential notice, dated 13.03.2026 issued by the 2nd respondent are hereby quashed and the matter is remanded back to the 2nd respondent for fresh consideration on merits and in accordance with law. The 2nd respondent shall issue notice to all the residents of the building complex, which includes the petitioners as well as the private respondents, namely the respondents 4 to 8, and after holding a proper enquiry and after giving due consideration to the documents produced by all the parties, shall take a final decision as to whether the proceedings will have to be initiated u/s



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136 of the Act or not. While passing final orders, the 2nd respondent shall pass a speaking order, after giving due consideration to the respective contentions of the parties and the documents produced by them. The aforesaid exercise shall be completed by the 2nd respondent, within a period of twelve (12) weeks from the date of receipt of a copy of this order. Till the final orders are passed, the 2nd respondent shall not demolish the subject building complex.

11. With the above directions, this Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

18.03.2026
(2/2)

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

- 1.The District Collector,
Ranipet District.
- 2.The Director of Municipal Administration,
No.75, Urban Administrative Building,
Santhome High Road, MRC Nagar,
Raja Annamalaipuram, Chennai – 600 028.
- 3.The Commissioner,
Sholinghur Municipality,
Sholinghur, Ranipet District.



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ABDUL QUDDHOSE, J.

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W.M.P.No.11472 of 2026

in

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ABDUL QUDDHOSE, J.

Ordered on payment of
separate court fee.

18.03.2026

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