



W.P. No.14458 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.04.2026

CORAM :

THE HONOURABLE MR.SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P. No.14458 of 2026

AND

W.M.P. No.15668 of 2026

N.S.Rajan,
905, Vaigai Colony, J- Block
17 Street, Anna Nagar (W)
Chennai-600 040

.. Petitioner(s)

Vs

- 1.The Member Secretary
Chennai Metropolitan Development Authority (CMDA)
Thalamuthu Natarajan Building
Egmore, Chennai- 600 008
- 2.The Commissioner
Greater Chennai Corporation (GCC)
Rippion Building, EVR Salai
Chennai-600 003
- 3.The Assistant Commissioner (Zone-VIII)
Greater Chennai Corporation-Anna Nagar (Zone VIII)
New No.36B, Old No.12 B.Pulla Avenue
Shenoy Nagar, Chennai-600 030



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4.Habibullah Sayeed Akthar
S/o.Habibullah Khan
Owner and Occupier of the Premises
at 904, Vaigai Colony, J- Block
17th Street, Anna Nagar West
Chennai-600040

.. Respondent(s)

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus to direct the First, Second and Third respondents to evaluate within a specified timeline, the extent of illegal constructions by the fourth respondent with regard to material violations in the setback areas and in accordance with law issue a Lock and Seal Demolition Notice to the extent of setback violations and for consequential orders.

For Petitioner: Mr.R.Gopi Narayanan

For Respondents: Mrs.P.Veena Suresh
Standing Counsel for R1
Ms.K.Aswini Devi
Standing Counsel for RR2 and 3

ORDER

(Made by G.ARUL MURUGAN,J.)

Heard.

2.The writ petition is filed seeking for a direction to the respondents No.1 to 3 to consider the online complaints of the petitioner dated 09.09.2025 and 20.09.2025, in respect of the unauthorised construction put up by the fourth respondent.

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3. According to the petitioner, he is the owner of the property situated in plot No.905, Vaigai Colony, J-Block, 17th Street, Anna Nagar West, Chennai. The fourth respondent, who is the adjacent owner of plot No.904, is putting up a construction without leaving any setback place and violating all the regulations of the Act and Rules. Even though the petitioner had submitted repeated complaints to the authorities complaining about the unauthorised construction, no steps were taken and hence, the present writ petition.

4. The learned Standing counsels taking notice for the respondents No.1 to 3 submitted that, already the Government has issued G.O.Ms.No.195, Housing and Urban Development [UD4(1)], dated 05.11.2022, notifying the Tamil Nadu Town and Country Planning (Removal of Unauthorised Development) Rules, 2022, whereunder procedures have been set out in respect of dealing complaints regarding unauthorised construction. In view of the rules in place, the complaints made by the petitioner would be looked into and proceeded further.

5. The petitioner had made a complaint to the authorities alleging unauthorised construction put up by the fourth respondent in



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contravention to the planning permission and the rules. As per Rule 3 of the Tamil Nadu Town and Country Planning (Removal of Unauthorised Development) Rules, 2022, the appropriate planning authority or the officer authorised may, on own motion or on receipt of complaint regarding unauthorised development, issue notice in Form-I to the owner or occupier of such building, calling for the plan and after conducting inspection, shall proceed as per Rules 4 and 5 of the Tamil Nadu Town and Country Planning (Removal of Unauthorised Development) Rules, 2022.

6.In view of the submissions made and considering the rules in place, without expressing any opinion on merits, we dispose of this writ petition directing the third respondent to consider the complaint of the petitioner and proceed in accordance with law, after affording opportunity to all the parties concerned within a period of twelve weeks from the date of receipt of a copy of this order. There shall be no order as to costs. Consequently, interim application stands closed.

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

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Index : Yes/No
Neutral Citation : Yes/No
gya



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