



WEB COPY

WP Nos. 18353, 18355 & 18357 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-05-2026

CORAM

THE HON'BLE MR.JUSTICE S. SOUNTHAR

AND

THE HON'BLE MR.JUSTICE P.B. BALAJI

WP Nos. 18353, 18355 & 18357 of 2026

and W.M.P. Nos.19717, 19718, 19720, 19721, 19723, 19724 of 2026

Chitravel

..Petitioner in W.P.No.18353/2026

Malleswari

..Petitioner in W.P.No.18355/2026

G.Periasamy

..Petitioner in W.P.No.18357/2026

Vs

1. The Regional Deputy Commissioner (North)
Corporation of Chennai,
No 62 Basin Bride Road,
Basin Bridge, Chidambaram Nagar,
Chennai 600 021.
2. The District Collector
Chennai District,
No 62 Rajaji Salai,
Chennai 600 001.
3. The Tahsildar
Thiruvotriyur Taluk,
Thiruvotriyur, Chennai 600 019.

..Respondents in all W.Ps.

COMMON PRAYER – Petitions filed under Article 226 of the Constitution of India, seeking a Writ of Mandamus, forbearing the Respondents from demolishing any portion of the petitioners' property at Chinna Sekkadu Village



Avurikollaimedu, then Thiruvallur District and now Chennai District pursuant to show cause notice of the 1st Respondent in Z.O.C. No.3295 of 2025 dated 26.08.2025 and Z.O.2.C. No 3295 of 2025 dated 19.01.2026 without considering the petitioners' replies dated 01.09.2025, 17.10.2025 and 14.02.2026 and passing final orders in terms of Section 128 (b) of Tamilnadu urban Local Bodies Act 1998 and without proper inspection and survey of Old S. No 3/3 and New S. No 3/22 along with adjacent old S. Nos 3/2 and 3/5 of Chinna Sekkadu Village, Avurikollaimedu, then Thiruvallur District and now Chennai district, after due notice to the petitioners to ascertain, determine and align with actual extent.

For Petitioner(s): Mr.N.R.Anantha Rama Krishnan

For Respondent(s): Mr.P.Dinesh Kumar,
Government Advocate (For R1)

Mr.T.K.Saravanan,
Additional Government Pleader (For R2 & R3)

COMMON ORDER

(Order of the Court was made by S.Sounthar J.)

By consent of both sides, these Writ Petitions are disposed of at the admission stage itself.

2.These Writ Petitions are filed seeking to forbear the Respondents from demolishing any portion of the petitioners' property at Chinna Sekkadu Village Avurikollaimedu, then Thiruvallur District and now Chennai District, pursuant to Show Cause Notice of the 1st Respondent in Z.O.C. No.3295 of 2025 dated



26.08.2025 and Z.O.2.C. No 3295 of 2025 dated 19.01.2026 without considering the petitioners' replies dated 01.09.2025, 17.10.2025 and 14.02.2026 and passing final orders in terms of Section 128 (b) of Tamilnadu urban Local Bodies Act 1998 and without proper inspection and survey of Old S. No 3/3 and New S. No 3/22 along with adjacent old S. Nos 3/2 and 3/5 of Chinna Sekkadu Village, Avurikollaimedu, then Thiruvallur District and now Chennai district, after due notice to the petitioners to ascertain, determine and align with actual extent.

3. According to the petitioners, they are the absolute owners of the petition mentioned properties. The 1st respondent had issued Show Causes Notices dated 26.08.2025 and 19.01.2026, alleging that the petitioners have encroached upon a "Kuttai" and called them to show cause as to why their encroachment should not be removed. Denying the said allegation and raising detailed objections, the petitioners sent replies dated 01.09.2025, 17.10.2025 and 14.02.2026, stating that they have not encroached any public property. Without considering the objections submitted by the petitioners and without proper inspection and survey, the respondents are intending to take coercive steps for demolition, against which, the petitioners are before this Court.



4. Heard the learned counsel appearing for the petitioners, the learned Government Advocate appearing for the 1st respondent as well as the learned Additional Government Pleader, appearing for the respondents 2 and 3.

5. It is seen from the typed set of papers that earlier the respondents issued Show Cause Notice on 26.08.2025, to which the petitioners submitted explanations. Without considering the same, a fresh Show Cause Notice was issued by the respondents on 19.01.2026, calling upon the petitioners to show cause as to why their encroachment should not be removed.

6. It is seen that the respondents have issued the 2nd show cause notice without considering the detailed objections submitted by the petitioners. Hence, the respondents are directed to consider the detailed explanations submitted by the petitioners on 17.10.2025 and pass final orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. However, till such consideration of the explanations submitted by the petitioners, the respondents are directed not to disturb the possession of the petitioners.

7. With the above observations, these Writ Petitions are disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.



(S.S.,J.) (P.B.B.,J.)
06-05-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
GSA/GSK

To

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3. The Tahsildar
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S.SOUNTHAR, J.

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