



WEB COPY



W.P.No.17872 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.05.2026

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN**

**W.P.No.17872 of 2026
and
W.P.M.P.No.19204 of 2026**

S.Gunasekar
S/o.Subramani

.... Petitioner

-VS-

1. The Commissioner,
Poonamallee Municipality,
Poonamallee, Chennai – 600 056.
2. The Assistant Engineer,
TNPDC (O&M), Kumananchavadi,
Poonamallee, Chennai – 600 056.
3. Rekha
W/o.Ramesh

.... Respondents

Prayer :

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 1st respondent herein to consider the petitioner's representation dated 23.12.2025 to take enforcement action against 3rd respondent's unauthorised building construction of ground



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plus two floors at Survey No.627/3, Poonamallee Village, Tiruvallur District, measuring to an extent of 1200 sq.fts situated at Murugaesan Street, Trunk Road, DRR Nagar, Karayanchavadi, Chennai – 600 056 and pass appropriate orders within stipulated time period as may be fixed by this Court.

For Petitioner : Mr.E.Arun Kumar
For Respondents : Mr.M.Murali
Government Advocate for R1
Mr.D.B.R.Prabhu
for R2

ORDER

(Order of the Court was made by G.R.SWAMINATHAN, J.)

Heard Mr.E.Arun Kumar, learned counsel for the petitioner, Mr.M.Murali, learned Government Advocate for the first respondent and Mr.D.B.R.Prabhu, learned counsel for the second respondent.

2. Issuance of notice to the third respondent is dispensed with.

3. The petitioner is a resident of Murugaesan Street in Karayanchavadi, Chennai. According to the petitioner, the third respondent had put up a multi-storied construction in the adjacent land. He alleges that the entire construction



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is without a building plan or approval. He would claim that the third respondent has encroached upon his property. The petitioner has given a representation to the first respondent in this regard. The petitioner wants action to be taken under Section 134 of the Tamil Nadu Urban Local Bodies Act, 1998, which reads as follows:

“134. Penalty for unauthorised construction.-

Where the construction, reconstruction or modification of any building is commenced or completed in contravention of the provisions of this Act or the rules made thereunder, the owner shall be liable, by way of penalty, to pay a sum which shall not exceed [one lakh rupees] and in the case of a continuing contravention, such further sum which shall not exceed fifty rupees per square feet every day during which the contravention continues.”

4. We direct the first respondent to issue notice to the petitioner as well as to the third respondent, cause a spot inspection, and pass final orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. We clarify that we have not gone into the merits of the matter.



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5. With the above direction, the Writ Petition stands disposed of.

Consequently, connected miscellaneous petition is closed. No costs.

[G.R.S.,J.] [V.L.N.,J.]

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Index : Yes/No

Speaking order / Non-speaking order

Neutral Citation : Yes/No

ms/mk

To

1. The Commissioner,
Poonamallee Municipality,
Poonamallee, Chennai – 600 056.
2. The Assistant Engineer,
TNPDCCL (O&M), Kumananchavadi,
Poonamallee, Chennai – 600 056.



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