



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-06-2026

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THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

WP No. 17987 of 2026

M.Shyam Melvin
S/o. (late) Maria Dominic,
Residing at No.65, 1st Floor,
4th Street PP Nagar, MMDA Colony,
Razak Garden Road, Chennai- 106.

..Petitioner(s)

Vs

1. The Special Officer
Chief Minister's Special Cell,
Secretariat, Chennai- 600 009.
2. The Assistant Divisional Engineer
Highways Department,
(Construction and Maintenance),
Ambattur State Highways,
Railway Station Road,
Nehru Bazaar, Thirumalai Rajapuram,
Avadi, Chennai-054.
3. The Assistant Engineer
Highways Department,
(Construction and Maintenance),
Ambattur State Highways,
Railway Station Road,
Nehru Bazaar, Thirumalai Rajapuram,
Avadi, Chennai-054.
4. The Thasildar
Poonamallee Office,
Chennai-056.



5. Inspector of Police,
T16 Nazarethpet Police Station,
Chennai 600 123.
(R5 SUO MOTU IMPEADED VIDE ORDER
DATED 08.06.2026 MADE IN
WP.17987/2026 BY MSQJ)

..Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Mandamus, directing the 2nd respondent to consider petitioner's representation dated 30.09.2023 vide Petition No.6220363 to survey petitioner's land comprised in Survey No.110 as per Patta situated at Melpakkam Road, Avadi, Thiruvallur District and consequently direct the 2nd respondent to demolish the retaining wall put up in the East boundary with a time frame fixed by this court.

For Petitioner(s): Mr.K.Elangovan

For Respondent(s): Mr.J.V.Sakthi Baalakrishnan
Counsel for Government for RR1 TO 4

Ms.R.Indira,
Govt advocate (CRL SIDE) FOR R5

ORDER

The present writ petition has been filed praying for a writ of Mandamus to direct the 2nd respondent to consider petitioner's representation dated 30.09.2023 vide Petition No.6220363 to survey petitioner's land comprised in Survey No.110 as per Patta situated at Melpakkam Road, Avadi, Thiruvallur District and consequently direct the 2nd respondent to demolish the retaining



wall put up in the East boundary

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2. At the outset, the learned counsel for the respondent would refer to the communication dated 12.06.2024 issued by third respondent to the second respondent and submitted that respondents are ready and willing to remove the retaining wall, inasmuch as it affect/deny access to petitioner's property. However, when attempts were made earlier to demolish the retaining wall, there was resistance from certain third parties. He would submit that petitioner's representation dated 30.09.2023 would be considered and appropriate orders would be passed, after issuing notice to petitioner and any other interested parties, within a time period to be stipulated by this Court. He would also submit that the respondents would seek police protection for the demolition. Agreed to by the learned counsel for petitioner.

3. In view of the above submissions made by the learned counsel for respondents, this Court deems it fit to *suo motu* implead the jurisdictional Inspector of Police. Accordingly, Inspector of Police, T16 Nazarethpet Police Station, Chennai 600 123, is *suo motu* impleaded as a fifth respondent in this Writ Petition.

4. In view of the same, taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition,



since respondents had in consideration of the representation dated 30.09.2023, has decided and attempted to demolish the retaining wall which in view of resistance by third parties was not completed, shall proceed to demolish the same. It is made clear that if any law and order issue arises during demolition of retaining wall, second respondent shall make necessary request for police protection and if any such request is made the fifth respondent (*suo motu* impleaded respondent) would provide adequate police protection to the second respondent.

5. Accordingly, the writ petition stands disposed of. There shall be no order as to costs.

08-06-2026

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

Note: The Registry shall mark a copy of this order to the suo motu impleaded fifth respondent.

To

1. The Special Officer
Chief Minister's Special Cell,
Secretariat, Chennai- 600 009.



2. The Assistant Divisional Engineer
Highways Department,
(Construction and Maintenance),
Ambattur State Highways,
Railway Station Road,
Nehru Bazaar, Thirumalai Rajapuram,
Avadi, Chennai-054.

3. The Assistant Engineer
Highways Department,
(Construction and Maintenance),
Ambattur State Highways,
Railway Station Road,
Nehru Bazaar, Thirumalai Rajapuram,
Avadi, Chennai-054.

4. The Thasildar
Poonamallee Office,
Chennai-056.

5. Inspector of Police,
T16 Nazarethpet Police Station,
Chennai 600 123.



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MOHAMMED SHAFFIQ, J.

jv

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