



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-04-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

WP No. 28903 of 2024

and

WMP Nos. 10289 and 31534 of 2024

I.Xavier Muthupapa

..Petitioner

Vs

1. The Principal Secretary to Government,
Housing and Urban Development Department,
Secretariat, Chennai-600 009.
2. The Member Secretary,
Chennai Metropolitan Development Authority,
Egmore, Chennai-600 008.
3. The Principal Secretary/ Commissioner
Greater Chennai Corporation,
Ripon Building, Chennai-600 003.
4. The Zonal Executive Engineer, (Zone-X),
No.64, NSK Salai, Kodambakkam,
Chennai-600 024.
5. A.Moses
6. R.Sheela Bai
7. P.S.Ganesh
8. K.S.Prakash
9. Pandiyan



10. M.B.Kumaran

11. N.Ramalingam

WEB COPY

..Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 3rd and 4th respondents to take appropriate action in pursuance to the proceedings of the 2nd respondent in Letter No. EC / C-1 / 11407 / 2021 dated 12.1.2024 and submit an action taken report to the 2nd respondent and for a consequential direction directing the respondents 2 to 4 to remove the encroachment made by the respondents 5 to 11 herein Plot No. 9 completely obstructing the 15 feet pathway in the approved layout so as to enable the petitioner to have access to his residential house in Plot No.10 Parthasarathy Street, Saligramam, Chennai 93.

For Petitioner : Mr.R.Shanmugasundaram,
Senior Counsel
for Dr.R.Gouri

For Respondents : Mr.T.Arunkumar,
Addl. Govt. Pleader for R1

Mr.A.Arun Babu,
Standing Counsel for R3 & R4

Mr.S.Vinod for R6 to R11

R2 and R5 – No appearance

Order

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

Mr.R.Shanmugasundara, learned Senior Counsel appearing on behalf of the petitioner would submit that during the pendency of the present Writ Petition, the encroachments were removed. However, he raised an objection



that no further encroachments should be allowed, since it is a dead end road and there should not be any obstructions for the petitioner as well as the residents to use the road in a free manner.

2. It is needless to state that the Authorities are bound to ensure that the public roads are kept free from encroachments enabling the people to use the road in a peaceful manner.

3. The learned counsel for the contesting respondents would submit that the petitioner also has encroached upon the land.

4. In this regard the Corporation Authorities shall ensure that any encroachments identified in that locality is removed by following the procedures as contemplated under law. With these observations, this Writ Petition is **closed**. No costs. Consequently, the connected miscellaneous petitions are also closed.

(S.M.S.,J.) (K.S.,J.)
01-04-2026

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

DSA



To

1. The Principal Secretary to Government,
Housing and Urban Development Department,
Secretariat, Chennai-600 009.
2. The Member Secretary,
Chennai Metropolitan Development Authority,
Egmore, Chennai-600 008.
3. The Principal Secretary/ Commissioner
Greater Chennai Corporation,
Ripon Building, Chennai-600 003.
4. The Zonal Executive Engineer, (Zone-X),
No.64, NSK Salai, Kodambakkam,
Chennai-600 024.



WEB COPY

WP No. 28903 of 2



**S.M.SUBRAMANIAM J.
AND
K.SURENDER J.**

DSA

WP No. 28903 of 2024

01-04-2026