WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-10-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE R.RAJESH VIVEKANANTHAN

WP No. 33873 of 2026

CNR: {HCMA011769832026}

1. K.Rengaswamy

2. S.Gomathi

..Petitioner(s)

Vs

1. The Commissioner
   Greater Chennai Corporation,
   Ripon Building, E.V.R. Periyar Salai,
   Chennai-600 003

2. The Member Secretary
   Chennai Metropolitan Development
   Authority,
   “Thalamuthu Natrajan Maaligai”,
   No.1, Gandhi Irwin Road, Egmore,
   Chennai-600 008

3. The Assistant Engineer
   Town Planning section-Central Region,
   Zone IX, Ward No.124
   Greater Chennai Corporation,
   Kutcheri Road, Mylapore,
   Chennai-600 004

4. P.R.Shanmugamurthy

5. Kalpana Murthy

6. Vijayakumar

7. V.Vignesh

https://www.mhc.tn.gov.in/judis

WEB COPY

8. Jayanthi Vijayakumar

..Respondent(s)

Writ Petition filed under Article 226 of the Constitution of India issuing writ of mandamus directing the respondents 1 to 3 to take action in accordance with law against the unauthorised construction of approximately 1,450 sq.ft. put up on the common terrace above the second floor of the building at New Door Nos.53 and 55, Old Nos. 24 and 25, Thengur Selva Vinayagar Koil Street, Mylapore, Cehnnai-600 004 comprised in R.S. No.3087, Block No.61, Mylapore village, in deviation of the sanctioned planning permission No. PPA/ WDCN09/ 07184/ 2015 dated 18.02.2016 and building permission No.BA/ WDC09/ 00572/ 2016 dated 18.02.2016 including demolition and removal of the said unauthorised construction and clearance of the encroachment on the common terrace considering the petitioners representations dated 11.07.2026, 13.07.2026 and 15.07.2026 respectively.

For Petitioner(s): Mr.Eswar, Kumar And Rao

For Respondent(s): Mr. D.B.R. Prabhu
Standing Counsel (Gcc) For R 1-3
Ms.S. Mridula Royan
Standing Counsel (Cmda) For R2
Ms.Ankita For M/S.Varam Legal For R 4-8

ORDER

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

Writ of mandamus has been instituted directing the respondents 1 to 3 to take action in accordance with law against the unauthorised construction of approximately 1,450 sq.ft. put up on the common terrace

https://www.mhc.tn.gov.in/judis

WEB COPY

above the second floor of the building at New Door Nos.53 and 55, Old Nos. 24 and 25, Thengur Selva Vinayagar Koil Street, Mylapore, Cehnnai-600 004 comprised in R.S. No.3087, Block No.61, Mylapore village, in deviation of the sanctioned planning permission No. PPA/ WDCN09/ 07184/ 2015 dated 18.02.2016 and building permission No.BA/ WDC09/ 00572/ 2016 dated 18.02.2016 including demolition and removal of the said unauthorised construction and clearance of the encroachment on the common terrace considering the petitioners representations dated 11.07.2026, 13.07.2026 and 15.07.2026 respectively.

2. The Executive Engineer, Zone IX, Greater Chennai Corporation has filed a status report stating that competent authority conducted inspection and received documents from the owners of the building. On verification of the building plan permission and after conducting survey, authorities identified unauthorised deviations made in contravention of the building plan permission granted. Thus, enforcement actions are initiated for demolition of unauthorised portion of the building at Door Nos.53 and 55, Old Nos.24 and 25, Thengur Selva Vinayagar Koil Street, Mylapore, Chennai – 600 004.

https://www.mhc.tn.gov.in/judis

WEB COPY

3. Authorities of Chennai Corporation would submit that enforcement action initiated will be continued by following the procedures.

4. In view of the facts stated above, the official respondents are directed to continue enforcement actions by following the procedures as contemplated under the relevant statutes and rules in force, and demolish the unauthorised portion of the construction and restore the building in accordance with the building plan permission granted by the competent authorities within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions, if any, are closed.

(S.M.S.,J.) (R.R.V.,J.)
28-10-2026

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

GD

https://www.mhc.tn.gov.in/judis

WEB COPY

To

1. The Commissioner
   Greater Chennai Corporation,
   Ripon Building, E.V.R. Periyar Salai,
   Chennai-600 003
2. The Member Secretary
   Chennai Metropolitan Development
   Authority,
   Thalamuthu Natrajan Maaligai,
   No.1, Gandhi Irwin Road, Egmore,
   Chennai-600 008

3. The Assistant Engineer
   Town Planning section-Central Region,
   Zone IX, Ward No.124
   Greater Chennai Corporation,
   Kutcheri Road, Mylapore,
   Chennai-600 004

https://www.mhc.tn.gov.in/judis

2026:MHC:4413

WEB COPY

S.M.SUBRAMANIAM, J.
AND
R.RAJESH VIVEKANANTHAN, J.

GD

WP No. 33873 of 2026

28-10-2026
1/2

https://www.mhc.tn.gov.in/judis