



W.P. Nos.33219 of 2024 & 33301 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.04.2026

CORAM :

THE HONOURABLE MR.SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P. No.33219 of 2024 and W.M.P. No.36003 of 2024

AND

W.P. No.33301 of 2025 and W.M.P. Nos.37438, 37439 of 2025

W.P.No.33219 of 2024

R.Francis Ambrose,
3, Kumarapuram,
Chrompet, Pallavaram Taluk,
Chengulpattu District-600 044.

.. Petitioner

Vs

1.The Local Bodies Ombudsman,
100, Anna Salai, Guindy,
Chennai-600 032

2.The Principal Secretary,
Housing & Urban Development Department,
Government of Tamil Nadu,
Chennai-600 009.

3.The Principal Secretary,
MAWS Department,
Government of Tamil Nadu,
Chennai-600 009.

4.The Principal Secretary,
Home Department,
Government of Tamil Nadu,
Chennai-600 009.



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5.The Commissioner Of Land Administration,
2nd Floor, Ezhilagam, Chepauk,
Chennai-600 005.

6.The Director of Municipal Administration,
75, Urban Administrative Building,
M.R.C. Nagar, Chennai-600 028.

7.The Member - Secretary,
CMDA, Thalamuthu Natarajan Building,
Egmore, Chennai - 600 008.

8.The District Collector,
G.S.T. Road, Chengulpet - 603 001.

9.The Commissioner,
Tambaram Municipal City Corporation,
1, Muthuranga Mudali Street,
West Tambaram Chennai - 600 045.

10.Revenue Division Officer - Tambaram,
Opposite to MEPZ, West Tambaram,
Chennai - 600 045.

11.Diocese of Chengulpet Society,
Represented by its President &
Bishop of Diocese of Chengulpet,
Catholic Bishop House, Thimmavaram,
Chengalpattu - 603 001.

12.Diocese of Chengulpet,
Represented through Parish Priest -
Amala Annai Aalayam,
Door No.353, G.S.T. Road,
Chrompet, Chengalpattu - 600 044.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus to direct the respondents 6 to 10 to implement the order dated 10.05.2023 Order



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No.63/Maa/2023 of the Local Bodies Ombudsman for taking appropriate actions.

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For Petitioner: Mr.R.Francis Ambrose
(Petitioner in-Person)

For Respondents: Mr.B.Nedunchezhiyan for R1

Mr.A.Edwin Prabakar
State Government Pleader
for RR2, 4 to 6, 8 and 10

Mr.C.Manoharan
Standing Counsel for R7

Mr.P.Srinivas
Standing Counsel for R9

Mrs.Hema Sampath
Senior Counsel
for Ms. B.Louis Sharmila for RR11 and 12

W.P. No.33301 of 2025

Amala Annai Alayam

Represented by its Parish Priest,

Door No.353, G.S.T. Road,

Chrompet, Chennai-600 044.

.. Petitioner

Vs

1.The Commissioner

Tambaram Municipal City Corporation,

Muthuranga Mudali Street,

West Tambaram, Chennai-600 045.

2.The Tamil Nadu Local Bodies Ombudsman,

100, Anna Salai, Guindy,

Chennai-600 032



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3.R.Francis Ambrose,
S/o.Late Royappan,
Kumarapuram,
Chrompet, Pallavaram Taluk,
Chengulpattu District-600 044.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorari to call for the records relating to the impugned order No.63/Maa/2023 dated 10.05.2023 on the file of the 2nd respondent.

For Petitioner: Mrs.Hema Sampath
Senior Counsel
for Ms.B.Louis Sharmila

For Respondents: Mr.P.Srinivas
Standing Counsel for R1

Mr.B.Nedunchezhiyan for R2

Mr.Francis Ambrose
(Petitioner in-Person) for R3

COMMON ORDER

(Made by G.ARUL MURUGAN,J.)

Heard the petitioner/party-in-person in W.P.No.33219 of 2024 and Mrs.Hema Sampath, learned Senior Counsel for the petitioner in W.P.No.33301 of 2025.



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2.W.P.No.33219 of 2024 is filed seeking to implement the order of the Tamil Nadu Local Bodies Ombudsman dated 10.05.2023 and W.P.No.33301 of 2025 is filed assailing the order of the Tamil Nadu Local Bodies Ombudsman dated 10.05.2023.

3.The petitioner-in-person had approached the Tamil Nadu Local Bodies Ombudsman complaining certain unauthorised constructions put up by the Church and also complaining inaction on the part of the authorities and to take action. By order dated 10.05.2023, the Tamil Nadu Local Bodies Ombudsman disposed of the complaint by issuing certain directions.

4.It is the grievance of the petitioner-in-person that the directions issued by the Ombudsman had not been given effect to and therefore, seeks implementation of the order. The petitioner in the other writ petition complains that the directions have been issued by the Ombudsman without making them as a party and affording an opportunity, which is not sustainable and therefore, seeks to quash the same.



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5.At the outset, it is to be noted that the petitioner-in-person had already filed W.P.No.3782 of 2026 seeking to direct the official respondent to carry out necessary enforcement action against the respondents No.11 and 12. This Court, by order dated 12.03.2026, dismissed the writ petition by recording the pendency of the present writ petition and also the action already taken and the statutory appeal that is pending before the Government. The relevant portion of the order reads as follows :

"3.At the outset, it is to be noted that the petitioner had earlier filed W.P.No.33219 of 2024 in respect of the same complaint. Status report was filed and certain unauthorized constructions were noticed. Submissions were made by the private respondents that in respect of the construction of the Church made more than 50 years ago, they have applied for regularization. It was stated by the Corporation that the regularisation application will be examined as per the provisions of applicable laws. By recording the submissions, by order dated 11.09.2025, the writ petition was adjourned and it is still pending.

4.Subsequently, the 9th respondent also preferred a writ petition in W.P.No.44830 of 2025 for a direction to CMDA to consider their representation for regularisation. However, since the regularisation application already came to be rejected on 05.11.2025, this Court, by order dated 21.11.2025, dismissed the writ petition as having rendered infructuous.



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5.The 9th respondent again challenged the order dated 05.11.2025 rejecting the regularisation application in W.P.No.46953 of 2025. This Court on finding that, there is a statutory remedy of appeal available to the Government under Section 113(A) (6) of the Tamil Nadu Town and Country Planning Act, 1971, by order dated 03.12.2025, disposed of the writ petition, granting liberty to the 9th respondent herein to prefer statutory appeal before the Government.

6.At this juncture, now again the petitioner has come with the present writ petition seeking for a direction to carry out enforcement action in respect of the very same property (Church) put up by the 9th respondent, which is sub judice in the statutory appeal before the Government.

7.It is not a case where the complaint of the petitioner has not been acted upon, nor there is no follow-up action. As referred above, the authorities have proceeded with the enforcement action and even the regularisation application had been rejected, which issue is now pending in statutory appeal before the Government. Until the appeal is decided one way or the other, no further action could be proceeded with. Under such circumstances, we see no reason for the petitioner to rush to this Court with the instant writ petition.”

6.In view of the fact that already the directions issued by the Ombudsman had been acted upon and further, the proceedings are



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pending in statutory appeal before the Government, any further action could be proceeded only based on the orders to be passed by the Government in the statutory appeal.

7.In such circumstances, no further orders are required to be passed and these writ petitions are disposed of. There shall be no order as to costs. Consequently, interim applications stand closed.

(SUSHRUT ARVIND DHARMADHIKARI, CJ) (G.ARUL MURUGAN, J)
16.04.2026

Index : Yes/No
Neutral Citation : Yes/No
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