



W.P. No.3782 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 10.03.2026

DELIVERED ON : 12.03.2026

CORAM :

THE HONOURABLE MR.SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P. No.3782 of 2026
and W.M.P. No.4204 of 2026

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

.. Petitioner(s)

Vs

- 1.The Principal Secretary,
Housing and Urban Development Department,
Government of Tamilnadu,
Chennai - 600 009.
- 2.The Principal Secretary,
MAWS Department, Government of Tamilnadu,
Chennai - 600 009.
- 3.The Additional Secretary – Technical,
Housing and Urban Development Department,
Government of Tamilnadu,
Chennai - 600 009.
- 4.The Member - Secretary,
CMDA, Thalamuthu Natarajan Building,
Egmore, Chennai - 600 008.



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5. District Collector,
District Collectorate,
G.S.T. Road, Chengulpet - 603 001.

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

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

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

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

.. Respondent(s)

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus to direct the 4th respondent to carry out the necessary enforcement actions upon the unlawful structures in the disputed lands consisting of 1.98 + 1.24 Acres at Survey No.498/2, 499/5A2A1, 500/2 in Block No.10, Ward No.E, Zamin Pallavaram Village, Pallavaram Taluk, Chengulpet District - 600 044 and as per C.M.D.A orders no.EC/S-1/2433/2022 dated 05.04.2023, EC/S-1/2433/2022 dated 20.07.2023, EC/S-1/2433/2022 dated 12.09.2023 and EC/S-1/2433/2022 dated 28.01.2025 as per the time limit stipulated by this Hon'ble Court.



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

For Respondent(s): Mr.K.Karthik Jagannath
Government Advocate
For R1 to R3, R5 and R7

Mrs.P.Veena Suresh
Standing Counsel For R4

ORDER

(Order of the Court was made by G.ARUL MURUGAN, J.)

Heard the petitioner / Party-in-Person.

2. The writ petition seeks for a direction to the official respondents to carry out necessary enforcement actions in respect of the unlawful structures put up by the private respondents 8 and 9.

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



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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.

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



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respondent, which is subjudice 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.

8. In view of the above, this writ petition cannot be entertained at this stage and is accordingly dismissed. There shall be no order as to costs. Consequently, interim application stands closed.

(SUSHRUT ARVIND DHARMADHIKARI, CJ) (G.ARUL MURUGAN, J)
12.03.2026

Index : Yes / No
Neutral Citation : Yes/ No
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Pre-Delivery Order made in
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