



WEB COPY

WP No. 50033 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-02-2026

CORAM

THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

WP No. 50033 of 2025

Sri Govinda Bhavanam Charities
Represented By Its Managing Trustee Hari Babu,
Kannigapair Village, Uthukottai Taluk, Thiruvallur
District.

..Petitioner(s)

Vs

1. The Commissioner
Greater Chennai Corporation,
Ripon Building, Evr Salai, Chennai 600003.
2. Regional Deputy Commissioner (North)
Greater Chennai Corporation, Zone 5
(Royapuram), Chennai.
3. The Executive Engineer
Greater Chennai Corporation,
No.61 Basin Bridge Road, Royapuram,
Chennai 600021.
4. District Regional Officer / Zonal Officer
Zone-5, Royapuram,
Greater Chennai Corporation, Chennai.
5. Mr.Rengasamy
6. Mr.N.Panneer Selvam

..Respondent(s)

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India, pleased to issue a Writ of Mandamus, by directing the respondents 1 to 4 to implement the order of the 2nd respondent dated 22.09.2025 issued under



Section 136 of the Tamil Nadu Urban Local Bodies Act, 1998, within a time frame fixed by this Court.

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For Petitioner(s): Mr.Ramanujam Vedhanarayanan
for Mr.P.Dinesh Kumar
For Respondent(s): Mr.E.C.Ramesh, Senior Counsel
for R1 to R4
Dr.G.Krishnamoorthy
for Mr.A.K.M.Samsunihar for R5 & R6

ORDER

Heard Mr.Ramanujam Vedhanarayanan for Mr.P.Dinesh Kumar for the petitioner. Mr.E.C.Ramesh, learned Senior Counsel for respondents 1 to 4. Dr.G.Krishnamoorthy for Mr.A.K.M.Samsunihar for respondents 5 and 6.

2.The petitioner alleging that the building is in a dilapidated and ruinous condition approached the second respondent calling upon him to invoke under Section 136 of the Tamil Nadu Urban Local Bodies Act, 1998. The second respondent passed an order on 22.09.2025 to the said effect. In order to implement the said order the petitioner has moved this Court.

3.I entertained the Writ Petition on 19.12.2025 and called upon the petitioner to serve notice on respondents 5 and 6, namely, the tenants in the occupation of the property. I listed the matter on 30.01.2026.

4.Today, the learned counsel for the private parties made a mention stating that the respondents 5 and 6 have agreed to vacate and handover



possession of the property. A separate affidavit to that effect has been filed by respondents 5 and 6. The same are scanned and extracted hereunder:-

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Petitioner(s)*

Vs

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600003.
2. Regional Deputy Commissioner (north)
Greater Chennai Corporation, Zone 5 (royapuram), Chennai.
3. The Executive Engineer
Greater Chennai Corporation,
No.61 Basin Bridge Road, Royapuram,
Chennai.600021.
4. District Regional Officer /
Zonal Officer
Zone-S(Royapuram, Greater Chennai
Corporation,
Chennai
5. Mr. Rengasamy
Owner, Rengan Tea Stall, Old No.33, New No.67, Kandhappa Setty
Street
Sowcarpet, Chennai 600001.
6. Mr. N.Panneer Selvam
S/o.R.Natesan Chettiar, Proprietor, Balamurugan Traders, Old No.17/1

N. Panneer Selvam

New No.51, Jandavar Street, Kaladipet, Thiruvetiyur,
Chennai 600019.

Respondent(s)

Affidavit of Panneer Selvam

I, N.Panneerselvam, S/o Natesa Chettiar aged about 73 years, carrying on business under his proprietorship in the name and style of Prop: of Balamurugan Traders, at Old No.33, New No.67, Kandappa Chetty Street, Sowcarpet, Chennai, 600078, do hereby solemnly affirm and sincerely state as follows:-

1. I am the 6th responded herein and tenant under the petitioner even since 1982 and due to regional deputy Commissioner North great Chennai notice under section 138 of Tamil Nadu urban Local body act, 1998, Surjeet to immediate forcible, eviction of my occupation premises as tenant to extent of 350 ft² one portion at ground floor at 33, new number 67, Kadappa Chetty Street, Sowcarpet, Chennai, 600079 I hence well acquainted with the fact of the case and contents of this affidavit
2. The petitioner, instead of approaching Tamil Nadu regulation of rights and responsibility of landlord and tenants act 2017, under section 21(2)(e) for the position of building from me for demolition and rebuilding, approached several illegal methods. Finally, by obtaining a report of Corporation Authority that the building occupied by me was highly dilapidated condition and also filed this writ petition for immediate disposition of the premises
3. However considering the existing condition of building, I am undertake to voluntarily vacate within one week

N. Panneer Selvam



4. I earnestly crave before this honourable court to direct the petitioner to lease or rent out of the newly constructed building subject to admissible enactment of rent .
It is therefore prayed that this honourable court maybe pleased to take this affidavit of undertaking on file and record and grant a week time to vacate the premises in my occupation and further issue direction to the petitioner to lease or rent out the premises on completion of new building, subject to reasonable rent and render justice.

Solemnly affirmed at Chennai
this 20 day of January 2026 and
signed his name in my presence.

Before me,

Advocate,

1041/20
R. Ramasamy
GT. S. Court
Chennai,

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Chennai 600021.

4. District Regional Officer /
Zonal Officer
Zone-S(royapuram, Greater Chennai
Corporation,
Chennai

5. Mr. Rengasamy
Owner, Rengan Tea Stall, Old No.33, New No.67, Kandhappa Setty
Street,
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6. Mr. N.Panneer Selvam
S/o.R.Natesan Chettiar, Proprietor, Balamurugan Traders, Old No.17/1

T. CHAMPILAV



WEB COPY

New No.51, Jandavar Street, Kaladipet, Thiruvethiyur,
Chennai 600019.

Respondent(s)

Affidavit of T.Chandran

I, T.Chandran S/o R.Nalaise Chettiar, aged about 43 years, carrying on business under his proprietorship in the name and style of Prop: of Indian Coffee, at Old No.33, New No.67, Kandappa Chetty Street, Sowcarpet, Chennai. 6000103, do hereby solemnly affirm and sincerely state as follows:-

1. I submit that originally my Paternal Uncle (Rangasamy) 5th defendant became a tenant under the defendant in the year 1980 in respect of the shop portion in the premises bearing Old Door No.33, New No.67, Kandappa Chetty Street, Sowcarpet, Chennai.600 001 on a rent of Rs.200/-p.m. and he has been running tea stall and paying rent to the landlords. Subsequently my Paternal Uncle handed over the tea-stall to me and the I became tenant under the defendant in respect of the above shop in the premises bearing Old Door No.33, New No.67, Kandappa Chetty Street, Sowcarpet, Chennai, 600078 on a rent of 3,000/- per month exclusive of electricity charges and the tenancy is for non-residential purpose calculated as per English Calendar month. A Rental agreement was executed between me and the defendant on 01.07.2010 and paid a sum of Rs.30,000/- as rental advance. The monthly rent was gradually increased at the present rate of Rs.5350/- and I am paying rent at Rs.5350/-p.m. to the

T.Chandran S/o

defendant. I am carrying business selling Coffee, Tea and snacks in the tenancy shop and I have been regularly paying monthly rent to the defendant.

2. I submit that as the defendant has not paid the property tax and water and sewerage tax and the Corporation Authorities demanded to pay the rent payable to the defendant to the Corporation for tax arrears and they threatened that unless the plaintiff pay the arrears of tax they will take Distress proceedings and seal the shop. And hence without any objection I have paid the arrears of tax and deducted the same out of rent payable to the defendant. The defendant, along with the plaintiff for paying the tax without the knowledge of the defendant. The plaintiff submits that he has been carrying on business without any interference from anybody.

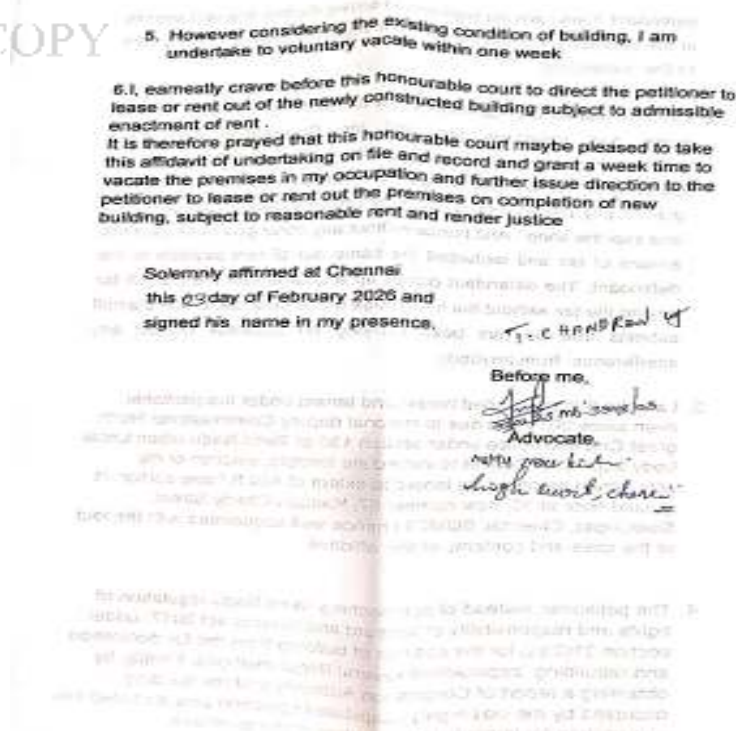
3. I am the 5th respondent herein and tenant under the plaintiff even since 2010 and due to regional deputy Commissioner North great Chennai notice under section 195 of Tamil Nadu Urban Local Body act, 1980, Subject to immediate forcible eviction of my occupation premises as tenants extent of 100 ft² area portion at ground floor at 28, new number 6, Kandappa Chetty Street, Sowcarpet, Chennai, 600079 I think we are acquainted with the bus of the case and contents of the affidavit.

4. The plaintiff, instead of approaching Tamil Nadu regulation of rights and responsibility of landlord and tenants act 2017, under section 21(2)(c) for the portion of building from me for demolition and rebuilding, approached several illegal methods. Finally by making a report of Corporation Authority that the building occupied by me was highly dilapidated condition and also filed the writ petition for immediate destruction of the premises.

T.Chandran S/o



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5.As tenants have agreed to vacate and handover possession within a period of one week from today the time has granted till 16.02.2026 for the respondents 5 and 6 to vacate the premises and handover possession to the writ petitioner. The corporation shall not initiate any demolition proceedings till 16.02.2026. Dr.G.Krishnamoorthy appearing for Mr.A.K.M.Samsunihar states that the suits in O.S.No.6096 of 2025 and O.S.No.6122 of 2025 on the file of XVII Assistant City Civil Court, Chennai, would be withdrawn by respondents 5 and 6 on the next day of hearing. His statement is recorded. Dr.G.Krishnamoorthy made a request that a direction may be issued to the writ petitioner to accommodate the respondents 5 and 6 in the newly constructed building. It is up to the trustees to take a call on the said effect.



6. Accordingly, the Writ Petition stands disposed of. No costs.

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05-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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WEB COPY

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V.LAKSHMINARAYANAN, J.

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