



WEB COPY



WP No.1029 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.01.2026

CORAM

THE HON'BLE MR.MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE G.ARUL MURUGAN

WP No.1029 of 2026

S.Sivagami

: Petitioner

versus

- 1.The Additional Secretary (Technical)
Housing & Urban Development Department,
Secretariat, Chennai 600 009
- 2.The Commissioner,
Greater Chennai Corporation,
Rippon Buildings, Chennai 3
- 3.The Executive Engineer,
Zone 13, Greater Chennai Corporation,
Adyar, Chennai 600 020
- 4.C.Thirupugazh
- 5.M.Raju
- 6.K.Ramesh
- 7.Gautam
- 8.K.Pugazhenth
- 9.T.Sujatha
- 10.V.Karthikeyan
- 11.N.Shanmugam
- 12.Sadineni Maliyathiri
- 13.P.Balan
- 14.V.Surya Prakash

: Respondents

Page 1 of 5



WP No.1029 of 2026

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the records of the impugned order dated 05.12.2025 vide Letter No.12267989/UDS (2)/2025-2 passed by the 1st respondent, quash the same and consequently direct the 1st Respondent to vacate the interim stay order granted by the 1st Respondent enabling the petitioner to complete the demolition of remaining building situated at No 115 Thiruvalluvar Nagar, 2nd Main Road, Thiruvannamiyur, Chennai 41.

For Petitioner : Mr.S.Prabhakaran,
Senior Counsel
for Mr.M.Saravana Kumar

For Respondents : Mr.A.Edwin Prabhakar,
State Government Pleader
for the first respondent

Mrs.P.T.Ramadevi,
Standing counsel,
for respondents 2 and 3

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

Grievance, as ventilated through this petition, is that though the petitioner, owner of the building, had applied for vacating the interim order dated 05.12.2025, passed by the Additional Secretary (Technical), Department of Housing and Urban Development Department, in exercise of powers under Section 80A of the Tamil Nadu Town and Country Planning Act, the application has remained pending.



WP No.1029 of 2026

WEB COPY

2. It is submitted that the building is in a dilapidated condition and is dangerous for human occupation. But due to the interim order granted, the Corporation authorities are not in a position to demolish the dilapidated building. Learned counsel would submit that the tenants have no enforceable rights against the Corporation as they are not the owners of the building.

3. All the submissions which are being made before this Court are required to be considered by the competent authority as there is an application filed by the petitioner, on 15.12.2025, for vacating the stay.

4. Considering that the issue involves a building which is alleged to be dangerous for human habitation, it would be in the fitness of things that the revision petition itself is decided at the earliest before any untoward incident happens.

5. In these exceptional circumstances, we direct the first respondent to decide the revision petition itself after hearing all the parties, on a date to be fixed as early as possible, and preferably



WP No.1029 of 2026

within one month from the date of receipt of a copy of this order.

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6. The writ petition stands disposed of. Consequently, WMP No.1207 of 2026 is closed.

(MANINDRA MOHAN SHRIVASTAVA, CJ.) (G.ARUL MURUGAN, J.)
21.01.2026

Index : Yes/No
Neutral Citation : Yes/No
tar

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