



WP No.36286 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.09.2025

CORAM

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

WP No.36286 of 2025

Hema Srikumar
W/o. Sri Kumar
No.119, Narayaneeyam,
Langliegh Compound, Mount Road,
Coonoor, Nilgiris District - 643 101.

Petitioner(s)

Vs

The Registrar
High Court of Judicature at Madras,
Chennai - 600 104
and 2 others

Respondent(s)

For Petitioner(s):

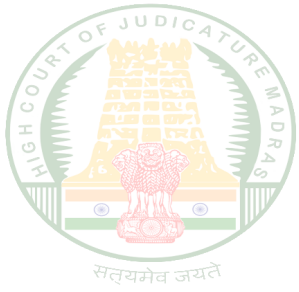
Mr.R.Mukesh Kannah

For Respondent(s):

Mr.M.Kempuraj,
Standing Counsel for R1

Mr.A.Edwin Prabakar,
State Government Pleader for R2

Mr.P.Srinivas,
Standing Counsel for R3



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ORDER

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

This petition is filed seeking a direction for refund of Rs.10,00,000/- deposited by the petitioner.

2. A sum of Rs.5,00,000/- was directed to be deposited by this court in proceedings drawn in W.P.No.20002 of 2021, presumably towards cost of inspection and remuneration to the Court Commissioners appointed by the court. However, from the final order dated 14.12.2023 passed in W.P.No.20002 of 2021, we do not find that any amount was directed to be paid to the Court Commissioners.

3. Assailing the said order dated 14.12.2023, the petitioner filed SLP before the Supreme Court and, by order dated 14.5.2024, the petitioner was directed to deposit a sum of Rs.5,00,000/- with the Registry of this Court. The SLP was subsequently disposed of by an order dated 4.12.2024 clearly stating that the cost of demolition shall be borne by the petitioner.



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WEB COPY

4. Taking into consideration the nature of exercise undertaken by the Court Commissioners in making the spot inspection and submitting the report before the court, we allow Rs.50,000/- to be paid to the Court Commissioners and another Rs.10,000/- towards expenditure in carrying out spot inspection, preparing report, collecting photographs, etc. Thus, a total sum of Rs.60,000/- shall be payable to the Court Commissioners. Considering the fact that already a sum of Rs.50,000/- was paid to the Court Commissioners in terms of the order dated 7.9.2023 passed in W.P.No.20002 of 2021, we direct that the balance sum of Rs.10,000/- be paid to the Court Commissioners out of the deposits lying with the Registry.

5. According to the petitioner's affidavit, she has demolished the construction.

6. Learned counsel for the respondent/municipality, however, disputes the same and submits that he may be granted some time to verify whether the illegal construction has been demolished by



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the petitioner or not, so that, in the event of failure on the part of the petitioner to demolish the construction, the local authority may itself proceed to demolish and submit the relevant bills of expenditure incurred for demolishing the building.

7. Further orders regarding the claim of refund of the amount deposited by the petitioner would be passed after receipt of the report from the Municipality.

List on 28.10.2025.

(MANINDRA MOHAN SHRIVASTAVA,CJ) (G.ARUL MURUGAN,J)
24.09.2025

Note to Registry:

Mark a copy of this order to the Registrar General, High Court, Madras.

sasi