



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-12-2025

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THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

WMP No. 51390 of 2025

in

WP No. 46074 of 2025

1. M.Anumanthu

Petitioner(s)

Vs

1. The Commissioner
Greater Chennai Corporation
Ripon Building, Chennai 600 003.

2.The Executive Engineer
Greater Chennai Corporation,
Zone IX, No. 4, 4th Cross Street,
Lake View Road, Chennai 600 034.

3.The Assistant Executive Engineer/ Zonal Officer,
Greater Chennai Corporation , Zone IX,
Nungambakkam, Chennai 600 034,

4.The Assistant Engineer
Greater Chennai Corporation,
Ward 112, Zone IX, Trustpuram,
Kodambakkam, Chennai – 600 024.

5.M.Babu

Respondent(s)

PRAYER

to stay the impugned demolition permission dated 6.11.2025 in W.D.C. No. DA/ WDCN09/ 00933/ 2025 passed by 2nd respondent, pending disposal of the above writ petition.

For Petitioner(s): M/s.R.Balasubramanian
R.Ajith Kumar
S.Abdul Lathif



For Respondent(s): Mr.DBR.Prabu, SC (RR1 to 4)

ORDER

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The petitioner and the 5th respondent are siblings. Their father, one Late K.Murugan obtained Patta for the property situated at No.5/35, Saurashtra Nagar, 9th Street, Choolaimedu, Chennai – 600 094. He settled a portion of the property in favour of his mother, Mrs.Maniammal. The entire extent of holdings 1290 sq. ft. Thiru.Murugan constructed a property in the year 1995 in the front portion and in the rear portion in the year 2004. He passed away in the year 2013. His death led to a litigation for partition in O.S. No. 5935 of 2023 on the file of the XVII Additional City Civil Court, Chennai.

2. Being a dispute between the family members, the learned Judge referred the matter to Lok Adalat. The case was taken on file by Lok Adalat in Case No. 22 of 2025. On 08.03.2025, the matter was settled. As per the settlement, 600 sq. ft. fell to the share of the 5th respondent and 690 sq. ft. fell to the share of the writ petitioner.

3. Thereafter, on the strength of this settlement, Release-deeds have been mutually executed by one brother in favour of the other. The 5th respondent proposed to demolish the property, which fell to his share, and put up a new construction. The writ petitioner has no intention to do so.



4. The 5th respondent applied for permission for demolition with respondent Nos. 1 to 4. The said permission has been granted. This is being impugned in the present writ petition.

5. It is the plea of the petitioner that the demolition plan is not confined to the share allotted to the 5th respondent alone. It refers to a property situated in Door No.5/35, Saurashtra Nagar, 9th Street, Choolaimedu, Chennai-600 094. The fear of the petitioner is under the guise of the obtaining the demolition plan for his property, while executing the same, the 5th respondent might demolish his property too.

6. A perusal of the impugned order, at page No.28 of the typed-set of papers, vouches the statements made in the affidavit.

7. Mr.D.B.R.Prabu, who takes notice for respondents 1 to 4 states that the demolition plan is confined only to the applicant, viz., 5th respondent, and the Corporation authorities have taken precaution in imposing conditions, prior to the grant of such permission.

8. I am of the view that the 3rd respondent shall, inspect the property, which is the subject mater of the writ petition. He shall submit a report as to



whether the 5th respondent has taken all the necessary steps to ensure that the property, which is fall under the share of the writ petitioner, is not damaged and has complied with the requirements of the impugned order. The inspection shall be completed by 10.12.2025.

9. Call the matter on 11.12.2025. Till then there shall be an order of interim stay.

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Maya

To

1.The Commissioner
Greater Chennai Corporation Ripon
Building Chennai 03

2.The Executive Engineer
Greater Chennai Corporation , Zone Ix,
No. 4 4th Cross Street Lake View Road
Chennai 34

3.The Assistant Executive Engineer/
Zonal Officer, Greater Chennai
Corporation , Zone Ix,
Nungambakkam Chennai 34

4.The Assistant Engineer
Greater Chennai Corporation , Ward
112 Zone Ix, Trustpuram
Kodambakkam Chennai 24



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V.LAKSHMINARAYANAN J.

Maya

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