

D.MANOHARAN Vs The Commissioner

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Court : Chennai Orders

Decided On : Mar-27-2026

Judge : Honourable Mr Justice S. M. Subramaniam, Honourable Mr. Justice K. Surender

Appeal No. : WP/11941/2026

Appellant : D.Manoharan

Respondent : The Commissioner

Judgement :

2026:MHC:1293

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM AND THE HON'BLE MR.JUSTICE K. SURENDER and W.M.P.Nos.13032 & 13033 of 2026
D.Manoharan ... Petitioner vs.

1. The Commissioner Rippon Building, Park Town Chennai-600 003.

2. The Regional Deputy Commissioner (Central) D.No.36B, 2nd Cross Street, Pulla Avenue Zone VIII, Shenoy Nagar Chennai-600 030.

3. The Executive Engineer

4. The Assistant Executive Engineer Page Nos.1/5

5. Narendra Kumar Respondents Writ Petition filed under Article 226 of the Constitution of India

seeking a Writ of Certiorarified Mandamus, to quash the impugned order

passed by the 4th respondent No.Zone-VIII/Enc/Dn95/01/2026 dated 19.01.2026 and in the alternative, direct the respondents to provide rehabilitation, alternative accommodation or just compensation before any eviction. For Petitioner : Mr.B.Rajesh Kumar For Respondents : Mrs.Aswini Devi .K Standing Counsel for R1 to R4 *****

ORDER

[Made by S.M.SUBRAMANIAM, J.,] The notice issued under Section 128(1)(b) of The Tamil Nadu Urban Local Bodies Act, 1998 (Act 9 of 1999) [hereinafter TNULB Act for the sake of convenience and clarity] dated 19.01.2026 is under challenge in the present writ petition.

2. The learned counsel for the petitioner would submit that the petitioner is not an encroacher but submitted his representation in response to the impugned notice dated 19.01.2026. Page Nos.2/5

3. The learned Standing Counsel for the respondents 1 to 4 would submit that procedures as contemplated under Section 128 of the TNULB Act are being scrupulously followed by affording opportunity to the encroachers.

4. In the present case, the petitioner has already submitted his

representation, which is to be considered by the competent authority and thereafter a final decision is to be taken. If any encroachments are identified, the same shall be removed by following procedures as contemplated under the provisions of the TNULB Act. The authorities, after taking a final decision, shall proceed with the enforcement actions for removal of encroachment.

5. In view of the fact that the petitioner has not established any legal

right and more so, no writ against the show cause notice is entertainable, the Writ Petition stands dismissed. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs. (S.M.S.,J.) (K.S.,J.) 27.03.2026 Index : Yes Neutral Citation : Yes

Speaking order

mk Page Nos.3/5 To

1. The Commissioner Rippon Building, Park Town Chennai-600 003.
2. The Regional Deputy Commissioner (Central) D.No.36B, 2nd Cross Street, Pulla Avenue Zone VIII, Shenoy Nagar Chennai-600 030.
3. The Executive Engineer
4. The Assistant Executive Engineer Page Nos.4/5 S. M. SUBRAMANIAM, J., and K. SURENDER, J., mk 27.03.2026 Page Nos.5/5

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