

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21-07-2026

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THE HON'BLE MR.JUSTICE **C.V.KARTHIKEYAN**

AND

THE HON'BLE MR.JUSTICE **R.SAKTHIVEL**

W.P.(MD)Nos.9415 of 2021 and 25143 of 2024

and

W.M.P.(MD)Nos.7136 of 2021, 21379 and 21383 of 2024, 29266 of 2025 and
15375 of 2026

W.P(MD)No.9415 of 2021:-

Dr.O.Chandran

... Petitioner

vs.

1.The Member Secretary,
Madurai Local Planning Authority,
Corporation Complex,
Madurai – 625 002.

2.The Commissioner,
Usilampatti Municipality,
Madurai District – 625 532.

3.The Deputy Director,
Town and Country Planning,
3rd Floor, Anna Maligai,
Madurai Corporation,
Madurai – 625 002

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to pass orders on the revised plan application and the retention application of the petitioner dated 26.03.2021 within the time stipulated by this Court and consequently, forbear the respondents from taking any coercing action, pending such disposal in light



of the order made by this Court in N.Deepa vs The Commissioner, Madurai Corporation in W.P.(MD)No.18350 of 2017, dated 27.09.2017.

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For Petitioner :Mr.Ajmal Khan
Senior Counsel
for M/s.Ajmal Associates
For Respondents :Mr.K.K.Udhayakumar
Counsel for State of Tamil Nadu

W.P(MD)No.25143 of 2024:-

Firnaz Bavazir

..Petitioner

Vs

1. State of Tamil Nadu
Represented by its Secretary,
Health Department,
St.George Fort, Chennai.
2. The District Collector
Madurai District, Madurai.
3. The Director of Municipality and
Administration
Chepauk, Chennai.
4. The Commissioner
Usilampatti Municipality,
Usilampatti, Madurai District.
5. M/s.OHM Muruga Hospital
Batalagundu Road,
Near Town Police Station,
Usilampatti, Madurai District.

..Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 1st to 4th



respondents to comply the compliance of the requirements mandated for running of the hospital by the 5th respondent in Survey No.187/B1 measuring about 988 sq ft. situate in Usilampatti Municipality, Madurai District and not restricted for obtaining building plan for the hospital based on peitioner representation dated 03.09.2024.

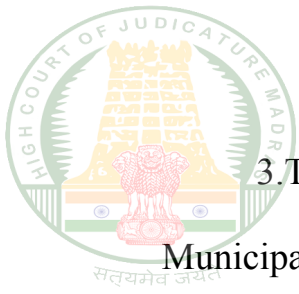
For Petitioner	:	Mr.R.Amarnath
For R1 to R3	:	Mr.K.K.Udhayakumar Counsel for State of Tamil Nadu
For R4	:	Mr.K.Jegadeesh Balan
For R5	:	Mr.Ajmal Khan Senior Counsel for M/s.Ajmal Associates *****

COMMON ORDER

(Order of the Court was made by C.V.Karthikeyan J.)

W.P.(MD)No.9415 of 2021 had been filed seeking a Mandamus directing the respondents therein to pass orders on the revised plan application and retention application submitted by the petitioner therein on 26.03.2021 within a specific time period.

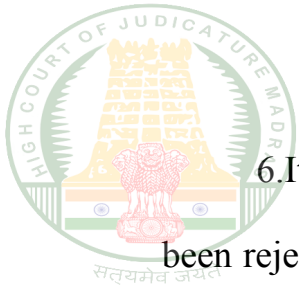
2.The petitioner had submitted a revised plan application and retention application with respect to his proposed building in land situated in S.No.187/1B, Block 30, Ward 13, Usilampatti Taluk, Madurai District, which land he had purchased by a sale deed, dated 18.01.1995.



3.The second respondent therein, the Commissioner, Usilampatti Municipality had granted planning permission by building permission No. 4/2018/F1 on 04.01.2018 and the construction had commenced at the time of filing of the Writ Petition. Since it was informed that there were deviations, the petitioner therein had filed revision application under Section 49 of the Tamil Nadu Town and Country Planning Act, 1971, which was taken on file. It had been stated that the matter is pending consideration and seeking examination of the revised plan, which had been submitted, within a specific time period, Mandamus had been sought in the Writ Petition.

4.W.P.(MD)No.25143 of 2024 had been filed by the Writ Petitioner therein, as a Public Interest Litigation with respect to the very same building for which planning permission had been sought by the petitioner in W.P.(MD)No.9415 of 2021.

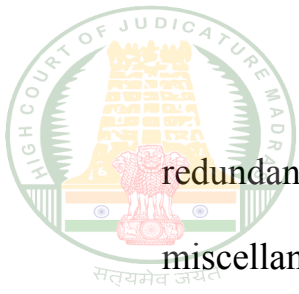
5.The Writ Petitioner in W.P.(MD)No.25143 of 2024 raised a grievance that the building had been constructed violating the planning permission, which had been granted and therefore, sought a direction from this Court to direct the respondents therein to comply with all requirements for running a hospital by the petitioner in W.P.(MD)No.9415 of 2021.



6.It is informed that subsequently, the revised planning permission had been rejected by the authority at the first instance necessitating the petitioner in W.P.(MD)No.9415 of 2021 to approach the appellate authority. The appellate authority had also rejected the appeal not on merits but on the ground of delay. Questioning that particular order, a further Writ Petition in W.P.(MD)No.20471 of 2026 had been filed and we are informed that a learned Single Judge of this Court condoned the delay and had remitted the matter for fresh consideration by the appellate authority by order dated 20.07.2026.

7.The order of the learned Single Judge narrows the discussion considerably, as now everything is dependent on the nature of the order to be passed by the appellate authority relating to the revised planning permission and the retention application of the petitioner in W.P.(MD)No.9415 of 2021. If the authority favourably considers, then all the Writ Petitions herein become redundant and the issues need not be addressed by this Court. By retaining the Writ Petitions on file, we might be placing a hamper on the mind of the first appellate authority from proceeding further in a fair and impartial manner.

8.In view of all these facts, we would dispose both the Writ Petitions and direct the first appellate authority to abide with the directions issued in W.P. (MD)No.20471 of 2026. In view of the nature of the order passed, the impleading application in W.M.P(MD)No.15375 of 2026 also has become



redundant and the same is also closed. No costs. Consequently, connected miscellaneous petitions are closed.

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(C.V.K.,J.) (R.S.V.,J.)
21-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To

1. State of Tamil Nadu
Represented by its Secretary,
Health Department,
St.George Fort, Chennai.
2. The District Collector
Madurai District,
Madurai.
3. The Director of Municipality and
Administration
Chepauk, Chennai.
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5. The Member Secretary,
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**C.V.KARTHIKEYAN, J.
AND
R.SAKTHIVEL, J.**

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W.P.(MD)Nos.9415 of 2021 and 25143 of 2024

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