

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13-07-2026

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THE HON'BLE MR JUSTICE C.V. KARTHIKEYAN

AND

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

WP(MD) No. 19345 of 2026

and

W.M.P.(MD)No.14293 of 2026

1. Muthulakshmi
2. Senthilkumar
3. Seethalakshmi

..Petitioner(s)

Vs

1. The State of Tamil Nadu,
Represented by its Principal Secretary,
Housing and Urban Development Department,
Secretariat, Chennai.
2. The Director of Town and Country Planning
Chennai.
3. The District Collector (Administrator of
Chathiram)
New Collector Office,
Thanjavur District.
4. The Assistant Director
Town and Country Planning,
Pudukkottai District.
5. The Commissioner
Aranthangi Municipality,
Aranthangi,
Pudukkottai District.

..Respondent(s)



Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorari, to call for the records relating with the notice issued by the 5th respondent in Na.Ka.No. 0835/20211/F1 dated 02.06.2026 and quash the same.

For Petitioner(s): Mr.R. Suriya Narayanan

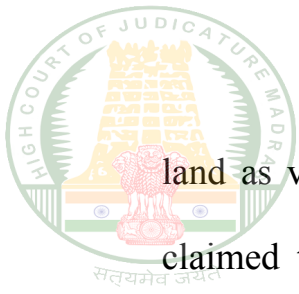
For Respondent(s): Mr.M.P.Senthil, Govt. Counsel
Takes Notice For R1 To R4
Mr.S.Kameswaran, Standing Counsel
Takes Notice For R5

ORDER

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

This writ petition had been filed in the nature of Certiorarified Mandamus seeking records relating to a notice issued by the 5th respondent, Commissioner, Aranthangi Municipality at Pudukkottai District in Na.Ka.No.0835/20211/F1 dated 02.06.2026 and quash the same.

2.In the affidavit filed in support of the writ petition, it had been stated that the land in Survey No.13/2P in Ward No.7, Nehru Street now in Ward-C, Block -37 in T.S.No.32 in Aranthangi Town, belonged to a Choultry, namely Sulochanammal Chatram, Thanjavur. It had been contended that the first and second petitioners took an extent of 4 cents and 5 cents, respectively in the said



land as vacant site and had been permitted to put up the superstructure. It is claimed that they are paying the vacant site rent to the management of the Chatram. It had been stated that they had put up a house construction and the same has also been assessed to property tax by the 5th respondent. It had been further contended that they had applied for grant of building permission. At that stage, another individual, S.Karthik had filed W.P.(MD)No.4259 of 2025 seeking removal of the construction put up by the writ petitioners herein contending that the same as unlawful. A Division Bench of this Court by an order dated 10.06.2025 in the said writ petition, had held as follows:

“4.May that as it be, these factual disputes raised between the parties are to be ascertained by the District Collector with reference to the documents and evidences available on records. The Collector has passed the impugned order stating that actions will be taken in respect of unauthorized constructions, if any. Para 5 of the impugned order reveals that as per the proceeding dated 22.08.2014, the concrete building constructed unauthorizedly will be dealt with in accordance with law. Then the District Collector has reiterated the said proposed action. The petitioner may approach the District Collector to enforce the said order for the purpose of initiating action for removal of unauthorized constructions, if any constructed without obtaining building plan permissions or deviations or otherwise. In view of the facts and circumstances, the respondents 1 to 3 are directed to look into the factual disputes between the parties and initiate action against the unauthorized construction irregularities, if any exist in the manner known to law.”



3. The Division Bench was extremely careful while passing the order and had taken care to ensure that the rights of the writ petitioners herein were not directly affected. It had provided for obtaining building plan permission or for deviation and thereafter, to take appropriate steps for removal. The petitioners could have applied for building approval or for approval of the deviations. There is no evidence that such an application seeking building plan permission had been even applied for. Whereas, only a communication had been presented without a specific date, in which it had been stated that necessary steps would be taken to apply for building plan permission.

4. The first respondent had issued a notice even prior to the order of the Division Bench. The petitioners necessarily had a duty to reply to the said notice. They replied to the said notice but again they have not applied for regularization of their buildings. The manner in which the application was made, which had been rejected by the 5th respondent, could not be stated to be an application applied in a proper format. Thereafter, the petitioners had a right to file an appeal. Again, there is no indication that an appeal had been filed.

5. It had been contended that status quo should be granted till the petitioners make an application seeking regularization. But unfortunately, more than sufficient time had been granted to the writ petitioners herein. Hence, we are not inclined to grant any further time. It is for the respondents to proceed in



the manner known to law. The writ petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

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(C.V.K.,J.) (R.S.V.,J.)
13-07-2026

Index : Yes
NCC : Yes
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To

1. The State of Tamil Nadu,
Represented by its Principal Secretary,
Housing and Urban Development Department,
Secretariat, Chennai.
2. The Director of Town and Country Planning
Chennai.
3. The District Collector (Administrator of
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New Collector Office,
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Pudukkottai District.
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**C.V.KARTHIKEYAN, J.
AND
R.SAKTHIVEL, J.**

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