



W.P.(MD)No.11430 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.10.2023

C O R A M

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.11430 of 2021

and

W.M.P.(MD)No.8933 of 2021

1.M.Chinnaponnu

2.M.Mookan

3.M.Periyasami

... Petitioners

-VS-

1.The Commissioner,
Tiruchirappalli City Municipal Corporation,
Bharathidasan Salai, Cantonment,
Tiruchirappalli - 620 001.

2.The Assistant Commissioner,
Corporation, K.Abishekapuram Zone,
Bharathidasan Salai, Cantonment,
Tiruchirappalli - 620 001.

3.C.Subramani

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 not to insist the petitioners to obtain Building License in respect of the property comprised in Old S.F.No.68/12C, New T.S.No.170 Ward AS, Block 0010, situated at K.Sathanur Village, Tiruchirappalli East Taluk and Tiruchirappalli District, admeasuring to an extent of 1000 sq.ft.

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For Petitioners : Mr.Shangar Murali

For R1 and R2 : Mr.R.Baskar
Standing Counsel

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the respondents 1 and 2 not to insist the petitioners to obtain building licence with respect to the subject property, admeasuring an extent of 1000 sq.fts. [150 sq.mts.]

2. The above relief was sought for by the petitioners by relying upon the Tamil Nadu District Municipalities Building Rules, 1972, which is applicable to the Tiruchirappalli City Municipal Corporation. According to the petitioners, only in respect of place, which exceeds 95 sq.mts. [1022.57 sq.fts.], building licence is required.

3. When the matter was taken up for hearing, the learned Standing Counsel appearing on behalf of the respondent Corporation submitted that as on the date when this Writ Petition was filed, this Rule was no more in force in view of coming into force of the Tamil Nadu Combined Development and



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Building Rules, 2019 [hereinafter referred to as "the Rules"], which came into effect from 04.02.2019. The learned Standing Counsel by relying upon Rule 74(2) of the Rules, submitted that the Tamil Nadu District Municipalities Building Rules, 1972, stood repealed. That apart, under Rule 15(2) of the Rules, it is now mandatory to obtain building licence for any development that is made in any land/premises.

4. In view of the above, this Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

NCC : Yes/No
Index : Yes/No

18.10.2023

To

- 1.The Commissioner,
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Bharathidasan Salai, Cantonment,
Tiruchirappalli - 620 001.
- 2.The Assistant Commissioner,
Corporation, K.Abishekapuram Zone,
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Tiruchirappalli - 620 001.



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N.ANAND VENKATESH, J.

smn2

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