



W.P.(MD)No.4259 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 10.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P.(MD)No.4259 of 2025

and

W.M.P.(MD)No.3060 of 2025

S.Karthik

... Petitioner

Vs.

1. The District Collector (Administration of Chathiram Land),
New Collector Office,
Nagapattinam- Coimbatore- Gundlupet Hwy,
AVP Azhagammal Nagar,
Thanjavur - 613010.
2. The District Collector,
Collector Office, Second Floor,
Pudukkottai - 622005.
3. The Commissioner,
Aranthagi Municipality,
Office of Aranthagi Municipality,
Aranthagi, Pudukkotai District.



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4. The Supervising Engineer,
TNEB (TANGEDCO),
Pudukottai.

5. K.Senthil Kumar

6. S.Seetha Lakshmi

7. K.Muthu Lakshmi

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by 1st respondent vide his proceeding in Na.Ka.No. 1354/2022/Sath.Ni.E dated 16.05.2024 and quash the same as illegal in so far as clause (4) is concerned and consequently direct the Respondents 1 to 4 to demolish the illegal/unauthorized construction put up by the 5th to 7th respondents in Sulochanambal Chathiram land admeasuring to an extent of 6000 Sq.ft comprised in T.S No.32 and TSLR in Ward C, situated in No.19, Aranthangi-Town and Taluk, Pudukkottai District and demolish the same within the period that may be stipulated by this Court.

For Petitioner : Mr.S.Vignesh Shunmugam
for M/s.Ajmal Associates

For Respondents : Mr.V.Om Prakash (R1 & R2)
Government Advocate
Mr.S.Kameswaran (R3)
Standing Counsel
Mr.S.Deenadayalan (R4)



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Standing Counsel

Mr.G.Prabhu Rajadurai (R5 to R7)

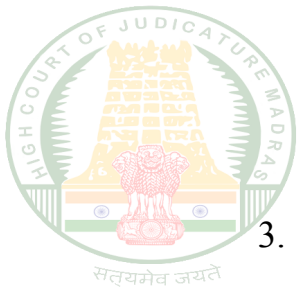
for Mr.R.Ponkarthikeyan

ORDER

(Order of the Court was made by ***S.M.SUBRAMANIAM, J.***)

The order of the District Collector, Thanjavur, dated 16.05.2024 issued pursuant to the orders of this Court in WP(MD)No.2293 of 2024 dated 05.02.2024 is under challenge in the present writ petition.

2. The contention of the petitioner is that the respondents 5 to 7 had unauthorizedly constructed building in Sulochanambal Chathiram land, Thanjavur. The land is administered by the first respondent District Collector. The construction was put up without obtaining building plan permission and in violation of the statutes and rules, despite the fact that the Collector has passed an order in respect of initiating action to demolish the unauthorized constructions.



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3. The learned counsel appearing for the respondents 5 to 7 would oppose by stating that the said land belongs to a trust and being administered by the District Collector. The Collector leased out the properties to various persons. Thus, there is no irregularity.

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.



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5. With these observations, this writ petition stands disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

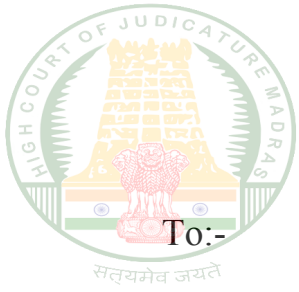
(S.M.S., J.) & (A.D.M.C., J.)

10.06.2025

NCC : Yes / No

Index : Yes / No

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To:-

1. The District Collector,
Tirunelveli, Tirunelveli District.
2. The Assistant Divisional Engineer,
State Highways Department (Building & Maintenance),
Ambasamudram, Tirunelveli District.
3. The Assistant Engineer,
State Highways Department (Building & Maintenance),
Ambasamudram, Tirunelveli District.
4. The Tahsildhar,
Ambasamudram Taluk,
Tirunelveli District.



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