



WEB COPY

W.P.(MD) No.13082 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.06.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

**W.P.(MD) No.13082 of 2025
and
W.M.P.(MD) No.9337 of 2025**

Thirumalai Kumar

... Petitioner

-VS-

1.The Commissioner
Tenkasi Municipality
Tenkasi District

2.The Collector
Office of the Collectorate
Tenkasi District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus to call for the records relating to the impugned notice dated 16.04.2025 under Notice No.2 of 2025 under Section 56(1) of the Tamil Nadu Town and Country Planning Act, 1971, issued by the



W.P.(MD) No.13082 of 2025

WEB COPY

first respondent and quash the same as illegal, arbitrary and consequently direct the second respondent to take action against the first respondent towards dereliction of duty by allowing this writ petition.

For Petitioner : Mr.D.Nallathambi
for Mr.A.Sankararamasubramanian

For Respondents : Mr.P.Athimoolapandian for R1
Mr.J.Ashok
Additional Government Pleader for R2

ORDER

[Order of the Court was made by S.M.SUBRAMANIAM, J.]

The notice dated 16.04.2025 for compliance of the planning permission in respect of the unauthorized development, issued by the Tenkasi Municipality, is under challenge in this writ petition.

2. A complaint was given against one Sankaralingam, who has deviated the building planning permission. The said Sankaralingam preferred a revision under Section 80-A of the Tamil Nadu Town and Country Planning Act, 1971, which was disposed of by the Government with a direction to demolish the deviations and restore the building as per the planning permit.



W.P.(MD) No.13082 of 2025

WEB COPY

Another complaint against the present writ petitioner Thirumalai Kumar was filed stating that his building is wholly unauthorized. Thus, the Municipality conducted an inspection and issued Form-IV notice dated 16.04.2025, which came to be challenged in this writ petition.

3. Learned counsel for the petitioner made a submission that the petitioner is not interested in pursuing the grounds raised in this writ petition, but, he may be permitted to prefer a statutory revision under Section 80-A of the Tamil Nadu Town and Country Planning Act, 1971.

4. The submission that the petitioner will prefer a statutory revision would be of no bar to the authorities concerned to continue the enforcement action in accordance with law, provided an interim order is granted by the Government in the revision, if any, filed by the petitioner. In the event of preferring any such revision, the Government shall dispose of the same on merits and in accordance with law as expeditiously as possible.



W.P.(MD) No.13082 of 2025

WEB COPY

5. With the above observations, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[S.M.S., J.]

[A.D.M.C., J.]

05.06.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

krk

To:
The Collector,
Office of the Collectorate,
Tenkasi District.



WEB COPY



W.P.(MD) No.13082 of 2025

S.M.SUBRAMANIAM, J.
and
DR.A.D.MARIA CLETE, J.

krk

W.P.(MD) No.13082 of 2025
and
W.M.P.(MD) No.9337 of 2025

05.06.2025