



W.P(MD)No.13396 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.08.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN**

**W.P(MD)No.13396 of 2024
and
W.M.P(MD)Nos.11815, 11816 & 11818 of 2024
and 6786 of 2025**

J.C.Residency Private Limited Company,
Represented by its Managing Director,
C.Jeyapaul.

... Petitioner

VS.

The Madurai Corporation,
Represented by the Commissioner,
Aringar Anna Maligai,
Madurai District.

... Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari, to call for the records pertaining to the impugned notice in Na.Ka.No.Mathi2/021302/2019 dated 05.06.2024 on the file of the respondent and quash the same as illegal.



W.P(MD)No.13396 of 2024

WEB COPY

For Petitioner : Mr.T.Lajapathi Roy
Senior Counsel
for Mr.M.Mahaboob Fazil

For Respondent : Mrs.S.Devasena

ORDER

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

The notice, dated 05.06.2024, issued by the Commissioner, Madurai Corporation, for initiation of enforcement action against the unauthorized construction, is under challenge in the present writ proceedings.

2.The learned senior counsel appearing for the petitioner would mainly contend that the issuance of Form I and Form II notices as contemplated under Section 56 of the Town and Country Planning Act, 1971, have not been followed. Thus, the respondent has violated the procedures as contemplated.



W.P(MD)No.13396 of 2024

WEB COPY

3.It is needless to state that the authorities, while initiating enforcement action, are bound to follow the procedures as contemplated under the relevant statutes and the rules framed thereunder.

4.In view of the fact that before issuing the impugned notice, no opportunity was granted to the petitioner to produce the relevant documents, including building plan permissions, if any, this Court is inclined to treat the imputed notice as a show-cause, notice calling upon the petitioner to submit the relevant documents for consideration.

5.Accordingly, the petitioner is at liberty to submit all the documents in his possession including the building plan permission to the Commissioner, Madurai Corporation, who in turn shall scrutinize the same and conduct a field inspection thereafter and initiate all appropriate enforcement action, if any unauthorized constructions are identified, by following the procedures as contemplated under law.



W.P(MD)No.13396 of 2024

WEB COPY

6. With these observations, this Writ Petition is disposed of.

There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

[S.M.S.,J.] & [G.A.M.,J.]
26.08.2025

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



WEB COPY



W.P(MD)No.13396 of 2024

To

The Commissioner,
Represented by the Madurai Corporation,
Aringar Anna Maligai,
Madurai District.



WEB COPY



W.P(MD)No.13396 of 2024

S.M.SUBRAMANIAM, J.
and
G.ARUL MURUGAN, J.

ps

ORDER MADE IN
W.P(MD)No.13396 of 2024

DATED : 26.08.2025