



W.P.(MD) No.15363 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

**W.P.(MD) No.15363 of 2025
and
W.M.P.(MD) Nos.11610 & 11611 of 2025**

1. T.Mahalingam

2. L.Selvi

... Petitioners

Vs

The Commissioner,
Srivilliputhur Municipality,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the respondent in KM No.130/CP/24-25/0003316 dated 17.03.2025 and quash the same and consequently, direct the respondent to grant Building Plan Approval based on the petitioner's online Application, dated 20.01.2025.

For petitioner : Mr. C.Vakeeswaran



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ORDER

This Writ Petition is disposed of at the time of admission after hearing the learned counsel for the petitioner dispensing with the notice to the respondent as no adverse orders are proposed to be passed against the respondent.

2. There is a partition suit pending against the petitioners and their siblings by M.Mariammal in O.S.No.150 of 2020 before the Principal Sub Court, Srivilliputhur.

3. The specific case of the petitioners is that the first petitioner's sister who is the plaintiff in the said suit, namely, M.Mariammal has not secured any interim order in O.S.No.150 of 2020. Hence, there is no impediment to sanction building plan approval as sought for by the petitioners.

4. The Court cannot be an accessory to any complication by directing the respondent to sanction building plan approval without tax being a clear demarcation of the rights. That apart, the petitioner has also not impleaded the



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first petitioner's other siblings, who are the defendants in the said suit. Whichever way one looking at, there is no merits in the present Writ Petitions.

5. Therefore, this Writ Petition is dismissed. However, liberty is given to the petitioner to take steps to expedite the disposal of the above suit in O.S.No. 150 of 2020 filed by the first petitioner's sister M.Mariamammal, wherein the first petitioner and other siblings are also party.

6. It is also open to the petitioners to request the concerned Court to persuade the parties to come for a settlement.

7. This Writ Petition is dismissed with above observations. No costs. W.M.P.(MD) No.11610 of 2025 is dismissed. Consequently, connected miscellaneous petitions are closed.

Index : Yes / No
Internet : Yes / No
apd

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C.SARAVANAN, J.

apd

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