



W.P(MD)No.15371 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.06.2025

CORAM:

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

**W.P(MD)No.15371 of 2025
and
W.M.P(MD)Nos.11618 & 11619 of 2025**

Syed Sulthan Beevi @ Bashiriya Begum

... Petitioner

vs.

- 1.State of Tamil Nadu Represented by,
The Principal Secretary,
Housing and Urban Development Department,
State of Tamil Nadu, Fort St. George,
State Secretariat, Chennai.
- 2.The Commissioner,
Madurai Municipal Corporation,
Office of the Commissioner – Madurai Corporation,
Arignar Anna Maligai, Thallakulam, Madurai.
- 3.The Assistant Commissioner,
Zone – 4 (South), Madurai Corporation, Madurai.

4.S.M.Abdul Kadhar

... Respondents

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 connected with

1/5



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WEB COPY the impugned notice issued by the third respondent in Na.Ka.No. Z4D1/002618/2024 dated 29.05.2025 and quash the same as illegal.

For Petitioner : Mr.G.Prabhu Rajadurai
for Dr.R.Alagumani

For R – 1 : Mr.S.P.Maharajan
Special Government Pleader

For RR 2 & 3 : Mr.S.Vinayak

ORDER

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

Pursuant to the orders of this Court dated 06.03.2024 made in W.P(MD)No.9150 of 2019, enforcement action has been initiated to demolish the unauthorized construction and to restore the building in consonance with the building plan permission granted by the competent authority under the relevant Act. The enforcement action, dated 03.04.2025 passed by the third respondent is under challenge in the present Writ proceedings.

2.It is not in dispute that the enforcement action has been initiated pursuant to the orders of the Division Bench of this Court in W.P(MD)No.9150 of 2019, dated 06.03.2024. Thus, the present Writ Petition is not entertainable.



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3.Further, the learned standing counsel appearing for the respondents 2 and 3/Corporation brings to the notice of this Court that demolition activities have already commenced.

4.That being the factum, this Court is not inclined to interfere with with the enforcement action that have already commenced. It is needless to state that the authorities shall demolish the unauthorized portion of the construction and restore the building in accordance with the building plan permission already granted.

5.With these observations, this Writ Petition stands dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

[S.M.S.,J.] & [A.D.M.C.,J.]
04.06.2025

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



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To

- 1.The Principal Secretary,
Represented by,
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Housing and Urban Development Department,
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Fort St. George,
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Chennai.
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S.M.SUBRAMANIAM, J.
and
DR.A.D.MARIA CLETE, J.

ps

ORDER MADE IN
W.P(MD)No.15371 of 2025

DATED : 04.06.2025