



W.P(MD)No.16904 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.11.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.16904 of 2024

and

W.M.P.(MD)No.14564 of 2024

- 1.P.Baskaran
- 2.P.Ammasi
- 3.T.Moorthi
- 4.R.Kannammal
- 5.M.Palanichamy
- 6.A.Ramesh
- 7.K.Alaguraja
- 8.A.Thulasiammal
- 9.M.Rajendran
- 10.C.Thandapani
- 11.A.Sathyakumar
- 12.P.Suresh
- 13.P.Murugesan
- 14.S.Nagaraj



W.P(MD)No.16904 of 2024

15.A.Arumugam

16.M.Alagammal

17.P.Subramani

18.P.Shanthi

19.K.Ganesan

20.A.Alagarsamy

... Petitioners

Vs.

1.State of Tamil Nadu,
Represented by its Secretary,
Department of Municipal Administration and Water Supply,
Secretariat,
Chennai.

2.The Principal Secretary / Chairman,
The Tamil Nadu Urban Habitat Development Board,
No.5, Kamarajar Salai,
Chepauk,
Chennai-600 005.

3.The Administrative Engineer,
The Tamil Nadu Urban Habitat Development Board,
K.K.Nagar,
Madurai.

4.The Commissioner,
Madurai Corporation,
Madurai.

5.The Assistant Commissioner,
Zone-II (North), Madurai Corporation,
Madurai.



W.P(MD)No.16904 of 2024

6.The District Collector,
Madurai.

(This Court suot motu impleaded R6
vide order dated 28.11.2025 by GRSJ)

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the Respondent No.4 to transfer the land in Survey Ward No.10, Town Survey No.2/497(Pt) Old in Block No.11 in an extent of 0.70 Acres situated at Municipal Arunthathiyar Colony, Karumbalai, Madurai in favor of the Respondent No.3 to enable them to construct the apartment houses in the light of communication by the 3rd Respondent dated 11.08.2023 and consequently direct the Respondents to allot the same in favor of the petitioners by considering their representation dated 21.06.2024 within the time stipulated by this Court.

For Petitioners : Mr.T.Thirumurugan

For Respondents : Mr.K.S.Selvaganesan
Additional Government Pleader
for R1, R2 & R6

: Mrs.S.Latha
for R3

: Mr.P.Anbunidhi
for R4 & R5

ORDER

Heard both sides.



W.P(MD)No.16904 of 2024

2. The writ petitioners are working as sanitary workers in the Madurai Corporation. They were permitted to occupy tiny apartment / housing board in the petition mentioned land. It appears that the site in question was a part of larger extent which was classified as water body. The building has become dilapidated. The Tamil Nadu Urban Habitat Development Board has issued notice for demolition. The petitioners are ready to vacate the place provided in any newly constructed apartment, they are once again accommodated. The Tamil Nadu Housing Board states that they cannot put up construction in the site because the land has not been formally transferred to it. These are matters in which the District Collector and the revenue department if necessary will have to take a call. The petitioners have already given a representation in this regard.

3. Though the water body Division Bench of this Court had restrained transferring of any water body for putting up construction, the case on hand is clearly distinguishable. On this site in question, already an apartment had been constructed by the housing board and the writ petitioners are residing therein even as on date. Therefore, the fact that the land in question has since been classified as water body need not come in the way. The sixth respondent has to take a call in the matter. The sixth respondent shall hear the petitioners in



W.P(MD)No.16904 of 2024

person and take a call. He may coordinate with the Tamil Nadu Urban Habitat Development Board as well as the Revenue Department and grant relief to the writ petitioners. Till the District Collector takes a call in the matter, the writ petitioners shall not be vacated or dispossessed. The Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

28.11.2025

Index : Yes / No
Internet : Yes/ No
rmi

To

1.Secretary,
Department of Municipal Administration and Water Supply,
Secretariat,
Chennai.

2.The Principal Secretary / Chairman,
The Tamil Nadu Urban Habitat Development Board,
No.5, Kamarajar Salai,
Chepauk,
Chennai-600 005.

3.The District Collector,
Madurai.



WEB COPY



W.P(MD)No.16904 of 2024

G.R.SWAMINATHAN, J.

rmi

W.P(MD)No.16904 of 2024

28.11.2025