



W.A(MD)Nos.1865 & 1866 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 09.07.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**W.A(MD)Nos.1865 & 1866 of 2025
and
C.M.P(MD)Nos.10631 & 10632 of 2025**

W.A(MD)No.1865 of 2025:

S.Kannan

... Appellant /
Petitioner

Vs.

- 1.The District Collector,
Dindigul District,
Dindigul.
- 2.The Commissioner,
Dindigul Corporation,
Dindigul,
Dindigul District.
- 3.The Tahsildar,
Dindigul West Taluk Office,
Dindigul,
Dindigul District.



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4.The Inspector of Police,
Dindigul North Police Station,
Dindigul District.

5.K.M.Alagesan

... Respondents /
Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent to call for the records and set aside the order in W.P(MD)No.30177 of 2024 dated 28.04.2025 and allow the Writ Appeal.

For Appellant : Mr.Raghuvaran Gopalan
for Mr.J.Britto Kanikairaj

For Respondents : Mr.N.Ramesh Arumugam
Government Advocate
for R.1 & R.3

Mr.J.Lawrence
for R.2

Mr.T.Senthil Kumar
Additional Public Prosecutor for R.4

Mr.P.Mahendran for R.5

W.A(MD)No.1866 of 2025:

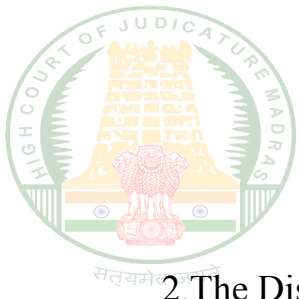
S.Kannan

... Appellant /
4th Respondent

Vs.

1.K.M.Alagesan

... 1st Respondent /
Petitioner



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2.The District Collector,
Dindigul District,
Dindigul.

3.The Commissioner,
Dindigul Corporation,
Dindigul, Dindigul District.

4.The Executive Engineer (Planning),
Town Planning Section,
Dindigul Corporation,
Dindigul – 624 001.

... Respondents 2 to 4 /
Respondents 1 to 3

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent to call for the records and set aside the order in W.P(MD)No.881 of 2025 dated 28.04.2025 and allow the Writ Appeal with cost.

For Appellant : Mr.Raghuvaran Gopalan
for Mr.J.Britto Kanikairaj

For Respondents : Mr.P.Mahendran
for R.1

Mr.N.Ramesh Arumugam
Government Advocate
for R.2 & R.4

Mr.J.Lawrence
for R.3

COMMON JUDGMENT

(By G.R.SWAMINATHAN, J.)

Heard both sides.

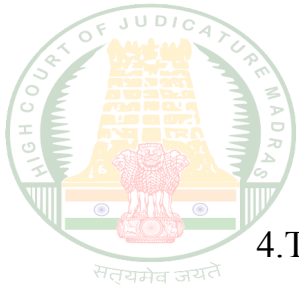


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2. The appellant is a tenant in occupation of the petition mentioned building. The property belongs to one Alagesan. According to the landlord, the building has become old and dilapidated and requires immediate demolition. It appears that the local body had already issued notices under Section 136 of the Tamil Nadu Urban Local bodies Act. The claim of the appellant / tenant is that this notice was addressed only to the landlord and not to him.

3. We do not want to go into this factual controversy. Suffice to say that a fresh inspection and examination shall be conducted by a Civil Engineer from PWD in the presence of the landlord as well as the tenant. If according to the said engineer, the building in question requires demolition, it is always open to the local body to take action in accordance with the said opinion. We make it clear that such an inspection or examination shall be done by any engineer other than the one who had already issued the stability certificate dated 09.02.2024. This exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order. We make it clear that we have not gone into the merits of the matter. It is needless to add that the Commissioner of Local body will adhere to the procedure set out in the Act.



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4. These Writ Appeals are disposed of accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

[G.R.S., J.] [K.R.S., J.]
09.07.2025

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

To

1. The District Collector,
Dindigul District,
Dindigul.
2. The Commissioner,
Dindigul Corporation,
Dindigul,
Dindigul District.
3. The Tahsildar,
Dindigul West Taluk Office,
Dindigul, Dindigul District.
4. The Inspector of Police,
Dindigul North Police Station,
Dindigul District.
5. The Executive Engineer (Planning),
Town Planning Section,
Dindigul Corporation,
Dindigul – 624 001.



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G.R.SWAMINATHAN, J

and

K.RAJASEKAR, J.

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