



W.P(MD)No.5616 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.09.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)No.5616 of 2018

and

W.M.P(MD)No.5521 of 2018

A.Kasirajan @ Kasipandi

..Petitioner

Vs

1.The District Collector,
Tuticorin District,
Tuticorin.

2.The Block Development Officer,
Panchayat Union, Kayathar,
Tuticorin District.

3.Veeralakshmi
(R3 impleaded vide court order dated 09.12.2024
in WMP(MD)No.25087/2024)

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records in pursuance of the impugned memo in Thi/2319/2017 issued by the 2nd respondent dated 12.12.2017 to the petitioner and quash the same and in consequently direct the 2nd respondent to grant approval for the building plan submitted by the petitioner in respect of the petitioner building situated at Plot No.13, S.No.46/1 Chidambarampatti Village, Kayathar Panchayat Union, Tuticorin.



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For Petitioner : Mr.M.Prabu

For Respondents : Mrs.D.Farjana Goushia
Spl. Govt. Pleader (for R1 & R2)

Mr.M.Mohemed Sherbudeen (for R3)

ORDER

Heard the learned counsel for the petitioner, the learned Special Government Pleader for the respondents 1 and 2 and the learned counsel for the third respondent.

2. This writ petition has been filed challenging the impugned memo in Thi/2319/2017 dated 12.12.2017 issued by the second respondent to the petitioner. By the said memo, the petitioner's request for building permission was rejected by the second respondent. The petitioner also seeks a consequential direction to the second respondent to grant approval for the building plan submitted in respect of the petitioner's building situated at Plot No.13, S.No.46/1, Chidambarampatti Village, Kayathar Panchayat Union, Tuticorin.

3. It is seen that the petitioner's request for building plan permission was rejected on account of the pendency of a civil case between the petitioner and the third respondent. However, when the matter was taken



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up for hearing, it is informed that the third respondent had filed O.S.No.209 of 2017 before the District Munsif Court, Kovilpatti, and obtained a decree in her favour. A copy of the judgment was also produced before this Court.

4. On a perusal of the judgment dated 24.02.2025 in O.S. No.209 of 2017 on the file of the District Munsif Court, Kovilpatti, it is seen that the 3rd respondent has obtained a decree in her favour. The trial Court has further directed the writ petitioner to remove the building in question and hand over possession to the 3rd respondent.

5. In view of the aforesaid judgment, this Court is of the considered view that the petitioner's request cannot be entertained at this stage. Accordingly, this writ petition stands dismissed. No costs. Consequently, the connected miscellaneous petition is also dismissed.

04.09.2025

NCC : Yes/No
Index : Yes/No
Internet:Yes
skn



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To

- 1.The District Collector,
Tuticorin District,
Tuticorin.
- 2.The Block Development Officer,
Panchayat Union, Kayathar,
Tuticorin District.



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P.T.ASHA, J.

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