



W.P.(MD)No.23799 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **02.09.2025**

CORAM:

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**
AND
THE HONOURABLE **MR.JUSTICE C.KUMARAPPAN**

W.P.(MD)No.23799 of 2025
and
W.M.P(MD)No.18705 of 2025

S.Purushothaman

... Petitioner

/Vs./

- 1.The Commissioner,
Madurai Municipal Corporation,
Anna Maligai, Madurai-2.
- 2.The Assistant Commissioner,
Madurai Municipal Corporation,
Zone I East, Alagarkovil Road,
Madurai-7.
- 3.The Executive Engineer,
Incharge of Vivekanantha Nagar,
Moontrumavadi, K.Pudur,
Madurai-7.
- 4.Chitra Devi



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5. The Secretary to Government,

Housing and Urban Development Department,
Secretariat, Chennai-600 009.

... Respondents

[R5 is impleaded vide order dated 02.09.2025]

PRAYER:- Writ Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to implement the notice of the corporation ந.க.எண்.ம1உ2 / 005302/2024 dated 05.07.2025 and prevent the fourth respondent from utilizing the construction pursuant to the plan approval No.115/BL/2023/02983 dated 23.09.2023 in respect of 'அ' Commercial plot Vivekanandha Nagar, Moontrumavadi, K.Pudur and also direct the respondents 1 to 3 to disconnect the permanent electricity service connection, water and drainage connection of 'அ' commercial plot Vivekanandha Nagar, Moontrumavadi, K.Pudur of fourth respondent.

For Petitioner : Mr.C.Godwin

For R1 to R3 : Mr.K.K.Kannan

Standing Counsel

For R5 : Mr.S.P.Maharajan

Special Government Pleader



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ORDER

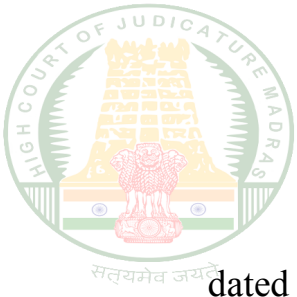
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(Order of the Court was made by **DR.ANITA SUMANTH, J.**)

Mr.K.K.Kannan, learned Standing Counsel, accepts notice for R1 to R3 and Mr.S.P.Maharajan, learned Special Government Pleader, accepts notice for R5.

2.The present Writ Petition is filed seeking a mandamus directing R1 and R2 to implement the notice dated 05.07.2025 and prevent R4 from utilizing the construction in 'ஆ' commercial plot Vivekanandha Nagar, Moontrumavadi, K.Pudur and to disconnect the permanent electricity service connection, water and drainage connection of 'ஆ' commercial plot. According to the petitioner, the construction is unauthorized.

3.This matter has a checkered history. W.P.(MD)No.6492 of 2025 was filed by Mr.C.Godwin, who, incidentally appears for the present petitioner. The prayer in that writ petition was for a mandamus directing the Commissioner of Madurai Corporation to enforce notice



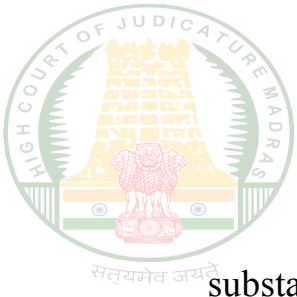
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dated 23.01.2025 issued against Chitra Devi/R4. The said writ petition came to be disposed with a direction to the Commissioner, Madurai Corporation to proceed with the matter, after hearing both the petitioner as well as R4 and conclude the proceedings in twelve weeks.

5.W.P.(MD)No.16607 of 2025 was filed by one Purushothaman seeking a quash of notice dated 30.05.2025 and a direction to the Commissioner to enforce the proceedings initiated vide notice dated 30.04.2025. That writ petition was also disposed, recording that the lock and seal notice was issued under Section 56 and 57 of the Town and Country Planning Act and that one Chitradevi preferred a revision under Section 80-A of the Town and Country Planning Act, which is pending before the Government. The petitioner was granted liberty to implead himself in the revision proceedings initiated by Chitra Devi.

6.In the present Writ Petition, the petitioner has reiterated the grievance as against the notice dated 05.07.2025 and as against the alleged unauthorized construction effected by R4. However, the sum and



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substance of the matter, we learn after hearing Mr.Godwin, is that the petitioner is unable to implead himself in the proceedings initiated by Chitra Devi under Section 80-A of the Town and Country Planning Act.

7.The present writ petition could well have been avoided, if the respondents had facilitated impleadment of the petitioner in the appeal of Chitra Devi.

8.We hence implead as R5, the Secretary to Government, Housing and Urban Development Department, Secretariat, Chennai-600 009, as the appeal under Section 80-A is pending before that authority.

9.Mr.S.P.Maharajan, learned Special Government Pleader, files a compilation containing Letter No.10545711/UD5(1)/2025-1, dated 23.06.2025 in relation to the appeal proceedings initiated by Chitra Devi. It appears that the appeal is not numbered thus far. There is a direction to R5 to implead the present petitioner as a party to those proceedings. Notices shall be issued to the present petitioner as well prior to



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conclusion of those proceedings.

11.With this and as no further grievance subsists, this Writ Petition is closed. No costs. Consequently, connected miscellaneous petition is closed.

**[A.S.M.J.,] & [C.K.J.,]
02.09.2025**

NCC :Yes/No
Index :Yes/No
Internet :Yes
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To

- 1.The Commissioner,
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- 2.The Assistant Commissioner,
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- 3.The Executive Engineer,
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4. The Secretary to Government,
Housing and Urban Development Department,
Secretariat, Chennai-600 009.



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