



W.P.(MD)No.22571 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 25.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.(MD)No.22571 of 2025

M.Devika

... Petitioner

-Vs-

1.The Commissioner,
Thoothukudi Corporation,
113, Palayamkottai Road,
Thoothukudi-628 202.

2.M.Gandhimathinathan

3.M/s.Lakshmi Cafe
represented by its Manager,
No.45, Pudhukudi,
Palayamkottai Road,
Thoothukudi-628 008.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to conclude the enquiry proceedings initiated vide notice dated 12.12.2024 as per the orders passed in W.P.No.3395 of 2023 dated 05.02.2025.



WEB COPY



W.P.(MD)No.22571 of 2025

For Petitioner : Mr.G.Anto Prince
For R1 : Mr.N.Anandakumar
For R2 & R3 : Mr.S.Radhakrishnan

ORDER

(Order of the Court was made by **G.ARUL MURUGAN, J.**)

Heard the learned counsel for the petitioner, Mr.N.Anandakumar, learned counsel for the first respondent and Mr.S.Radhakrishnan, learned counsel for the respondents 2 & 3.

2. The writ petition is filed seeking for a direction to direct the first respondent to conclude the enquiry proceedings initiated vide notice dated 12.12.2024.

3. It is the contention of the petitioner that the 2nd respondent has constructed a hotel namely M/s.Lakshmi Cafe without obtaining any proper permission from the competent authorities. The petitioner had submitted a representation dated 03.09.2024 in this regard and since no action was taken, he filed W.P.No.29973 of 2024. The writ petition was disposed of by order dated



W.P.(MD)No.22571 of 2025

12.12.2024. Pursuant to which, the first respondent issued a show cause notice dated 12.12.2024 under Sections 134, 135 (1), (6) and 180 of the Tamil Nadu Urban and Local Bodies Act. In consequence to the notice issued, the private respondents submitted a reply and not satisfied with the explanation from the private respondents, first respondent has issued demolition notice on 21.01.2025.

4. The second respondent had challenged the show cause notice dated 12.12.2024 by filing a writ petition in W.P.No.3395 of 2025, whereby, the representation of the private respondents was directed to be considered.

5. In view of the directions issued, an enquiry was conducted by issuing enquiry notice to the respondents on 03.03.2025. The private respondents had participated in the enquiry and the reply dated 10.04.2025 was received on 23.04.2025. Further notice was also issued on 03.06.2025 for which, another reply was submitted on 12.06.2025. The competent authority, after considering the reply, has issued the final notice by proceedings dated 20.08.2025, wherein, it was found that the third respondent hotel had been constructed without getting proper approval. The authority had directed the second respondent to remove the un-authorised construction. Since no further enforcement action was



W.P.(MD)No.22571 of 2025

contemplated, the petitioner has come up with the present writ petition seeking for a direction to conclude the enquiry proceedings initiated on 12.12.2024.

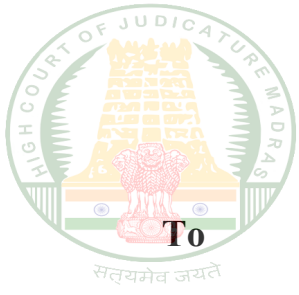
6. In view of the final orders passed by the Municipality on 20.08.2025 directing the private respondents to remove the encroachment, no further orders are required. In view of the above, the writ petition is disposed of with a direction to the official respondents to pursue with the enforcement action and complete the process in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

(S.M.S., J.) & (G.A.M., J.)
25.08.2025

NCC : Yes / No

Index : Yes / No

am



W.P.(MD)No.22571 of 2025

WEB COPY

- 1.The District Collector,
Pudhukottai District,
Pudhukottai.
- 2.The Revenue Divisional Officer,
Pudhukottai.
- 3.The Tahsildhar,
Karamabakudi Taluk,
Pudhukottai District.



WEB COPY



W.P.(MD)No.22571 of 2025

S.M.SUBRAMANIAM, J.
AND
G.ARUL MURUGAN, J.
am

W.P.(MD)No.22571 of 2025

25.08.2025