



W.P(MD)No.21817 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.08.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND**

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P(MD)No.21817 of 2025

and

W.M.P.(MD) No.16898 of 2025

Thanjavur City Municipal Corporation Employees
Co-Operative Society Limited,
T.1818, Cauvery Super Market,
South Rampart,
Thanjavur - 613 001,
Represented by its Secretary,
A.Sebasthiraj

... Petitioner

Vs

1. The State of Tamil Nadu,
Rep by its Additional Chief Secretary to Government,
Municipal Administration and Water Supply Department,
Secretariat, Fort St.George,
Chennai - 600 009.

2. The Commissioner of Municipal Administration,
Santhome High Road,
MRC Nagar,
Chennai - 600 028.



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3. The Commissioner,
Thanjavur City Municipal Corporation,
Thanjavur.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus forbearing the Respondents from interfering and putting up any construction in the land in Old S.No.327/2, T.S.No.2 Neelagiri Therku Thottam Village, Municipal Colony, Medical College Road, Thanjavur in Ward No.8, Block-6 of Thanjavur Corporation, reserved for market in the approved layout in DTP NO.2/1970 belong to the Petitioner Society without any authority or except by due process of law and further to remove the buildings already constructed within the land reserved for market belong to the Society or in the alternative to make the payment of rent for the existing building at the market rate to the petitioner Society, in consideration of representation submitted by the petitioner.

For Petitioner	:	Mr.A.Arun Prasad,
For Respondent	:	Mr.J.Ashok (R1-R2) Additional Government Pleader
	:	Mr.Veera Kathiravan (R3) Additional Advocate General Assisted by Mr.N.Dilip Kumar



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ORDER

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[Order of the Court was made by S.M.SUBRAMANIAM, J.]

The relief sought for in the present writ petition to forbear the respondents from interfering and putting up any construction in the land in Old S.No.327/2, T.S.No.2 Neelagiri Therku Thottam Village, Municipal Colony, Medical College Road, Thanjavur in Ward No.8, Block-6 of Thanjavur Corporation and further to remove the buildings already constructed within the land reserved for market belong to the Society or in the alternative to make the payment of rent for the existing building at the market rate to the petitioner Society, by considering the representation submitted by the petitioner.

2.The petitioner is attempting to resolve the civil dispute in the present writ proceedings. If at all the petitioner claims title or ownership in respect of the land, he has to approach the competent civil Court of law. Disputed facts of civil in nature cannot be adjudicated in the writ proceedings.



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3. Thus, the writ petition is dismissed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

[S.M.S., J.] [A.D.M.C., J.]
08.08.2025

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

LR

To

1. The State of Tamil Nadu,
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2. The Commissioner of Municipal Administration,
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and
DR.A.D.MARIA CLETE, J.

LR

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