



W.A(MD)Nos.1989 to 2005 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 21.07.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

and

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

W.A(MD)Nos.1989 to 2005 of 2023

and

**C.M.P(MD)Nos.15669, 15671 to 15676, 15678 to 15680, 15682 to 15684,
15686, 15687, 15689 to 15692, 15694 to 15697, 15699 to 15702, 15704,
15706, 15708, 15709, 15711, 15713 of 2023**

and

C.M.P(MD)Nos.12003, 12005, 12008, 12010, 12011 & 12012 of 2024

W.A(MD)No.1989 of 2023:

The Commissioner,
Tuticorin Municipal Corporation,
Tuticorin.

... Appellant /
4th Respondent

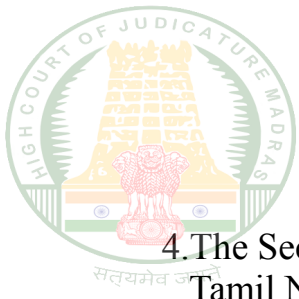
Vs.

1.P.Alwarappan

2.P.Narayanan

... Respondents 1 & 2 /
Petitioners

3.The Secretary to the Government of India,
Ministry of Works,
Housing and Supply,
New Delhi.



W.A(MD)Nos.1989 to 2005 of 2023

4.The Secretary,
Tamil Nadu Government,
Municipal Administration and
Water Supply Department,
Chennai – 600 001.

5.The District Collector,
Tuticorin District,
Tuticorin.

... Respondents 3 to 5/
Respondents 1 to 3

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent to allow the Writ Appeal and set aside the order dated 02.06.2023 passed by the learned single Judge in W.P(MD)No.7166 of 2014 on the file of this Court.

For Appellant : Mr.Veera.Kathiravan
Additional Advocate General
Assisted by
Mr.N.Anandakumar

For Respondents : Mr.S.Ramesh
for R.1 & R.2

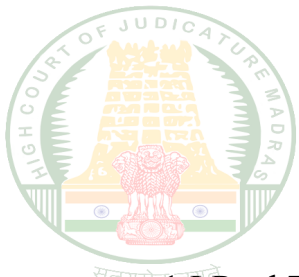
Mr.A.Kannan
Additional Government Pleader
for R.3 to R.5

W.A(MD)No.1990 of 2023:

The Commissioner,
Tuticorin Municipal Corporation,
Tuticorin.

... Appellant /
4th Respondent

Vs.



W.A(MD)Nos.1989 to 2005 of 2023

1.I.Paul Thomas
WEB COPY

... 1st Respondent /
Petitioner

2.The Secretary to the Government of India,
Ministry of Works,
Housing and Supply,
New Delhi.

3.The Secretary,
Tamil Nadu Government,
Municipal Administration and
Water Supply Department,
Chennai – 600 001.

4.The District Collector,
Tuticorin District,
Tuticorin.

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

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent to allow the Writ Appeal and set aside the order dated 02.06.2023 passed by the learned single Judge in W.P(MD)No.7549 of 2014 on the file of this Court.

For Appellant : Mr.Veera.Kathiravan
Additional Advocate General
Assisted by
Mr.N.Anandakumar

For Respondents : Mr.N.Dilip Kumar
for R.1

Mr.A.Kannan
Additional Government Pleader
for R.2 to R.4



W.A(MD)Nos.1989 to 2005 of 2023

W.A(MD)No.1991 of 2023:

WEB COPY

The Commissioner,
Tuticorin Municipal Corporation,
Tuticorin.

... Appellant /
4th Respondent

Vs.

P.Najannijan (Died)

1.P.K.S.Raja (substituted petitioner)

... 1st Respondent /
Petitioner

2.The Secretary to the Government of India,
Ministry of Works,
Housing and Supply,
New Delhi.

3.The Secretary,
Tamil Nadu Government,
Municipal Administration and
Water Supply Department,
Chennai – 600 001.

4.The District Collector,
Tuticorin District,
Tuticorin.

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

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent to allow the Writ Appeal and set aside the order dated 02.06.2023 passed by the learned single Judge in W.P(MD)No.7550 of 2014 on the file of this Court.

For Appellant : Mr.Veera.Kathiravan
Additional Advocate General



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W.A(MD)Nos.1989 to 2005 of 2023

Assisted by
Mr.N.Anandakumar

For Respondents : Mr.G.Prabhu Rajadurai
for R.1

Mr.A.Kannan
Additional Government Pleader
for R.2 to R.4

W.A(MD)No.1992 of 2023:

The Commissioner,
Tuticorin Municipal Corporation,
Tuticorin.

... Appellant /
4th Respondent

Vs.

1.Ernest Jesudasan

... 1st Respondent /
Petitioner

2.The Secretary to the Government of India,
Ministry of Works,
Housing and Supply,
New Delhi.

3.The Secretary,
Tamil Nadu Government,
Municipal Administration and
Water Supply Department,
Chennai – 600 001.

4.The District Collector,
Tuticorin District,
Tuticorin.

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



W.A(MD)Nos.1989 to 2005 of 2023

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent to allow the Writ Appeal and set aside the order dated 02.06.2023 passed by the learned single Judge in W.P(MD)No.7551 of 2014 on the file of this Court.

For Appellant : Mr.Veera.Kathiravan
Additional Advocate General
Assisted by
Mr.N.Anandakumar

For Respondents : Mr.A.Kannan
Additional Government Pleader
for R.2 to R.4

W.A(MD)No.1993 of 2023:

The Commissioner,
Tuticorin Municipal Corporation,
Tuticorin.

... Appellant /
4th Respondent

Vs.

1.G.Laris Rayer

... 1st Respondent /
Petitioner

2.The Secretary to the Government of India,
Ministry of Works,
Housing and Supply,
New Delhi.

3.The Secretary,
Tamil Nadu Government,
Municipal Administration and



W.A(MD)Nos.1989 to 2005 of 2023

Water Supply Department,
Chennai – 600 001.

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4.The District Collector,
Tuticorin District,
Tuticorin.

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

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent to allow the Writ Appeal and set aside the order dated 02.06.2023 passed by the learned single Judge in W.P(MD)No.7552 of 2014 on the file of this Court.

For Appellant : Mr.Veera.Kathiravan
Additional Advocate General
Assisted by
Mr.N.Anandakumar

For Respondents : Mr.A.Kannan
Additional Government Pleader
for R.2 to R.4

W.A(MD)No.1994 of 2023:

The Commissioner,
Tuticorin Municipal Corporation,
Tuticorin.

... Appellant /
4th Respondent

Vs.

1.David Santhakumar

... 1st Respondent /
Petitioner

2.The Secretary to the Government of India,
Ministry of Works,



W.A(MD)Nos.1989 to 2005 of 2023

Housing and Supply,
New Delhi.

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3.The Secretary,
Tamil Nadu Government,
Municipal Administration and
Water Supply Department,
Chennai – 600 001.

4.The District Collector,
Tuticorin District,
Tuticorin.

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

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent to allow the Writ Appeal and set aside the order dated 02.06.2023 passed by the learned single Judge in W.P(MD)No.7938 of 2014 on the file of this Court.

For Appellant : Mr.Veera.Kathiravan
Additional Advocate General
Assisted by
Mr.N.Anandakumar

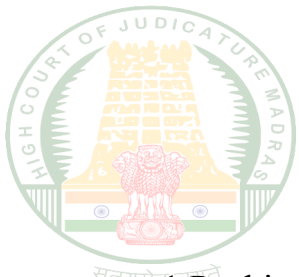
For Respondents : Mr.A.Kannan
Additional Government Pleader
for R.2 to R.4

W.A(MD)No.1995 of 2023:

The Commissioner,
Tuticorin Municipal Corporation,
Tuticorin.

... Appellant /
4th Respondent

Vs.



W.A(MD)Nos.1989 to 2005 of 2023

1.Packiya Karumari Muthu
WEB COPY

... 1st Respondent /
Petitioner

2.The Secretary to the Government of India,
Ministry of Works,
Housing and Supply,
New Delhi.

3.The Secretary,
Tamil Nadu Government,
Municipal Administration and
Water Supply Department,
Chennai – 600 001.

4.The District Collector,
Tuticorin District,
Tuticorin.

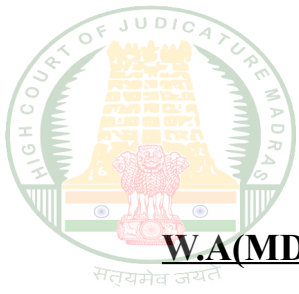
... Respondents 2 to 4/
Respondents 1 to 3

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent to allow the Writ Appeal and set aside the order dated 02.06.2023 passed by the learned single Judge in W.P(MD)No.7939 of 2014 on the file of this Court.

For Appellant : Mr.Veera.Kathiravan
Additional Advocate General
Assisted by
Mr.N.Anandakumar

For Respondents : Mr.N.Dilip Kumar
for R.1

Mr.A.Kannan
Additional Government Pleader
for R.2 to R.4



W.A(MD)Nos.1989 to 2005 of 2023

W.A(MD)No.1996 of 2023:

WEB COPY

The Commissioner,
Tuticorin Municipal Corporation,
Tuticorin.

... Appellant /
4th Respondent

Vs.

1. Visalakshmi

... 1st Respondent /
Petitioner

2. The Secretary to the Government of India,
Ministry of Works,
Housing and Supply,
New Delhi.

3. The Secretary,
Tamil Nadu Government,
Municipal Administration and
Water Supply Department,
Chennai – 600 001.

4. The District Collector,
Tuticorin District,
Tuticorin.

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

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent to allow the Writ Appeal and set aside the order dated 02.06.2023 passed by the learned single Judge in W.P(MD)No.7940 of 2014 on the file of this Court.

For Appellant : Mr.Veera.Kathiravan
Additional Advocate General
Assisted by
Mr.N.Anandakumar



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W.A(MD)Nos.1989 to 2005 of 2023

For Respondents : Mr.A.Kannan
Additional Government Pleader
for R.2 to R.4

W.A(MD)No.1997 of 2023:

The Commissioner,
Tuticorin Municipal Corporation,
Tuticorin.

... Appellant /
4th Respondent

Vs.

1.Jeyapusam

... 1st Respondent /
Petitioner

2.The Secretary to the Government of India,
Ministry of Works,
Housing and Supply,
New Delhi.

3.The Secretary,
Tamil Nadu Government,
Municipal Administration and
Water Supply Department,
Chennai – 600 001.

4.The District Collector,
Tuticorin District,
Tuticorin.

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

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent to allow the Writ Appeal and set aside the order dated 02.06.2023 passed by the learned single Judge in W.P(MD)No.8212 of 2014 on the file of this Court.



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W.A(MD)Nos.1989 to 2005 of 2023

For Appellant : Mr.Veera.Kathiravan
Additional Advocate General
Assisted by
Mr.N.Anandakumar

For Respondents : Mr.A.Kannan
Additional Government Pleader
for R.2 to R.4

No Appearance for R.1

W.A(MD)No.1998 of 2023:

The Commissioner,
Tuticorin Municipal Corporation,
Tuticorin.

... Appellant /
4th Respondent

Vs.

1.David Shanthakumar

... 1st Respondent /
Petitioner

2.The Secretary,
Tamil Nadu Government,
Municipal Administration and
Water Supply Department,
Chennai – 600 001.

3.The Secretary to the Government of India,
Ministry of Works,
Housing and Supply,
New Delhi.

... Respondents 2 & 3/
Respondents 1 & 3

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent to allow the Writ Appeal and set aside the order dated 02.06.2023 passed by the learned single Judge in W.P(MD)No.18349 of 2014 on the file of this Court.



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W.A(MD)Nos.1989 to 2005 of 2023

For Appellant : Mr.Veera.Kathiravan
Additional Advocate General
Assisted by
Mr.N.Anandakumar

For Respondents : Mr.S.Ramesh for R.1

Mr.A.Kannan
Additional Government Pleader
for R.2 & R.3

W.A(MD)No.1999 of 2023:

The Commissioner,
Tuticorin Municipal Corporation,
Tuticorin.

... Appellant /
2nd Respondent

Vs.

1.G.Laris Rayer

... 1st Respondent /
Petitioner

2.The Secretary,
Tamil Nadu Government,
Local Bodies,
Fort St.George,
Chennai – 600 001.

3.The Secretary to the Government of India,
Ministry of Works,
Housing and Supply,
New Delhi.

... Respondents 2 & 3/
Respondents 1 & 3

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent to allow the Writ Appeal and set aside the order dated 02.06.2023 passed by the learned single Judge in W.P(MD)No.18628 of 2022 on the file of this Court.



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W.A(MD)Nos.1989 to 2005 of 2023

For Appellant : Mr.Veera.Kathiravan
Additional Advocate General
Assisted by
Mr.N.Anandakumar

For Respondents : Mr.G.Prabhu Rajadurai for R.1

Mr.A.Kannan
Additional Government Pleader
for R.2 & R.3

W.A(MD)No.2000 of 2023:

The Commissioner,
Tuticorin Municipal Corporation,
Tuticorin.

... Appellant /
2nd Respondent

Vs.

1.Ernest Jesudasan

... 1st Respondent /
Petitioner

2.The Secretary,
Tamil Nadu Government,
Local Bodies,
Fort St.George,
Chennai – 600 001.

3.The Secretary to the Government of India,
Ministry of Works,
Housing and Supply,
New Delhi.

... Respondents 2 & 3/
Respondents 1 & 3

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent to allow the Writ Appeal and set aside the order dated 02.06.2023 passed by the learned single Judge in W.P(MD)No.18629 of 2022 on the file of this Court.



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W.A(MD)Nos.1989 to 2005 of 2023

For Appellant : Mr.Veera.Kathiravan
Additional Advocate General
Assisted by
Mr.N.Anandakumar

For Respondents : Mr.G.Prabhu Rajadurai for R.1

Mr.A.Kannan
Additional Government Pleader
for R.2 & R.3

W.A(MD)No.2001 of 2023:

The Commissioner,
Tuticorin Municipal Corporation,
Tuticorin.

... Appellant /
2nd Respondent

Vs.

1.P.K.S.Raaja

... 1st Respondent /
Petitioner

2.The Secretary,
Tamil Nadu Government,
Local Bodies,
Fort St.George,
Chennai – 600 001.

3.The Secretary to the Government of India,
Ministry of Works,
Housing and Supply,
New Delhi.

... Respondents 2 & 3/
Respondents 1 & 3

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent to allow the Writ Appeal and set aside the order dated 02.06.2023 passed by the learned single Judge in W.P(MD)No.18630 of 2022 on the file of this Court.



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W.A(MD)Nos.1989 to 2005 of 2023

For Appellant : Mr.Veera.Kathiravan
Additional Advocate General
Assisted by
Mr.N.Anandakumar

For Respondents : Mr.G.Prabhu Rajadurai for R.1

Mr.A.Kannan
Additional Government Pleader
for R.2 & R.3

W.A(MD)No.2002 of 2023:

The Commissioner,
Tuticorin Municipal Corporation,
Tuticorin.

... Appellant /
2nd Respondent

Vs.

1.Paul Thomas

... 1st Respondent /
Petitioner

2.The Secretary,
Tamil Nadu Government,
Local Bodies,
Fort St.George,
Chennai – 600 001.

3.The Secretary to the Government of India,
Ministry of Works,
Housing and Supply,
New Delhi.

... Respondents 2 & 3/
Respondents 1 & 3

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent to allow the Writ Appeal and set aside the order dated 02.06.2023 passed by the learned single Judge in W.P(MD)No.18464 of 2022 on the file of this Court.



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W.A(MD)Nos.1989 to 2005 of 2023

For Appellant : Mr.Veera.Kathiravan
Additional Advocate General
Assisted by
Mr.N.Anandakumar

For Respondents : Mr.A.Kannan
Additional Government Pleader
for R.2 & R.3

W.A(MD)No.2003 of 2023:

The Commissioner,
Tuticorin Municipal Corporation,
Tuticorin.

... Appellant /
2nd Respondent

Vs.

1.Packiya Karumari Muthu

... 1st Respondent /
Petitioner

2.The Secretary,
Tamil Nadu Government,
Local Bodies,
Fort St.George,
Chennai – 600 001.

3.The Secretary to the Government of India,
Ministry of Works,
Housing and Supply,
New Delhi.

... Respondents 2 & 3/
Respondents 1 & 3

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent to allow the Writ Appeal and set aside the order dated 02.06.2023 passed by the learned single Judge in W.P(MD)No.18568 of 2022 on the file of this Court.



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W.A(MD)Nos.1989 to 2005 of 2023

For Appellant : Mr.Veera.Kathiravan
Additional Advocate General
Assisted by
Mr.N.Anandakumar

For Respondents : Mr.N.Dilip Kumar
for R.1

Mr.A.Kannan
Additional Government Pleader
for R.2 & R.3

W.A(MD)No.2004 of 2023:

The Commissioner,
Tuticorin Municipal Corporation,
Tuticorin.

... Appellant /
2nd Respondent

Vs.

1.Jeyapusam

... 1st Respondent /
Petitioner

2.The Secretary,
Tamil Nadu Government,
Local Bodies,
Fort St.George,
Chennai – 600 001.

3.The Secretary to the Government of India,
Ministry of Works,
Housing and Supply,
New Delhi.

... Respondents 2 & 3/
Respondents 1 & 3

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent to allow the Writ Appeal and set aside the order dated 02.06.2023 passed by the learned single Judge in W.P(MD)No.19238 of 2022 on the file of this Court.



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W.A(MD)Nos.1989 to 2005 of 2023

For Appellant : Mr.Veera.Kathiravan
Additional Advocate General
Assisted by
Mr.N.Anandakumar

For Respondents : Mr.A.Kannan
Additional Government Pleader
for R.2 & R.3

W.A(MD)No.2005 of 2023:

The Commissioner,
Tuticorin Municipal Corporation,
Tuticorin.

... Appellant /
4th Respondent

Vs.

1. Visalakshmi

... 1st Respondent /
Petitioner

2. The Secretary,
Tamil Nadu Government,
Local Bodies,
Fort St. George,
Chennai – 600 001.

3. The Secretary to the Government of India,
Ministry of Works,
Housing and Supply,
New Delhi.

... Respondents 2 & 3/
Respondents 1 & 3

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent to allow the Writ Appeal and set aside the order dated 02.06.2023 passed by the learned single Judge in W.P(MD)No.19401 of 2022 on the file of this Court.



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W.A(MD)Nos.1989 to 2005 of 2023

For Appellant : Mr.Veera.Kathiravan
Additional Advocate General
Assisted by
Mr.N.Anandakumar

For Respondents : Mr.A.Kannan
Additional Government Pleader
for R.2 & R.3

COMMON JUDGMENT

(By G.R.SWAMINATHAN, J.)

Heard both sides.

2.The writ petitioners herein are 9 in number. They are in occupation of the petition mentioned tenements. All along, the writ petitioners and their parents had been paying certain sums of money by way of rent to the Thoothukudi Municipal Corporation. While so, in March 2014, a steep revision was made and the petitioners were called upon to remit the same. Challenging the revision made by the local body, a batch of writ petitions was filed. During the pendency of the writ petitions, the writ petitioners realized that they had a higher right and filed one more set of writ petitions. Both these batches were taken up together. The learned single Judge vide order dated 02.06.2023 allowed them in the following terms:



W.A(MD)Nos.1989 to 2005 of 2023

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“21.In view of the above said deliberations, the following orders are passed:

(i). W.P(MD).Nos.7166, 7550, 7551, 7552, 7938, 7939, 7940 and 8212 of 2014 (except W.P(MD) No. 7549 of 2014) stand allowed setting aside the order demanding enhancement of rent.

(ii).W.P(MD).Nos.18349, 18464, 18628, 18629 18630, 18568, 19238 and 19401 of 2022 stand allowed setting aside the order of the first respondent and the respondents are directed to execute and register the sale deed after receiving full sale consideration in favour of the petitioners in accordance with the Low Income Group Housing Scheme of Government of India, Ministry of Works, Housing and Supply dated 17.01.1955.

(iii).W.P(MD).Nos.7549 of 2014 is disposed of with a direction to the respondents to retain the petitioner as a tenant till a sale deed is executed by the local body. The said exercise shall be completed within a period of 8 weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.”

Aggrieved by the same, these Writ Appeals have been filed by the Thoothukudi Municipal Corporation.

3.The learned Additional Advocate General submitted that the petition mentioned tenements are located in a prime part of the city and that all along

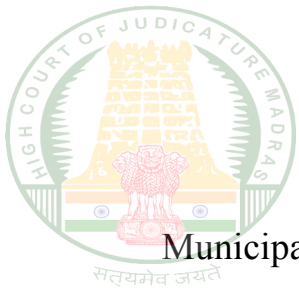


W.A(MD)Nos.1989 to 2005 of 2023

the petitioners have only been paying rent and therefore they cannot demand that the petition mentioned properties should be conveyed to them by way of sale.

4.We went through the entire materials on record. It is seen that under a Low Income Group Housing Scheme floated in the year 1955, 30 houses were constructed. The housing project was jointly funded by the Central Government as well as State Government on 80:20 ratio. We went through the terms of the scheme. The scheme clearly envisages that neither the State Government nor the authority which constructed the buildings can retain it for themselves. The houses were to be sold outright or on hire purchase basis to co-operatives or individuals. Clause 5 of the scheme reads that the State Government cannot continue to be the permanent owner and rent the houses. It was further stipulated that the local body may allot 25% of the houses constructed for their employees and the remaining in favour of the members of the general public.

5.While so, vide G.O(Ms)No.1745 Rural Development and Local Administration Department dated 06.09.1979 the Government permitted Thoothukudi Municipality to sell 21 houses out of 30 houses constructed by the

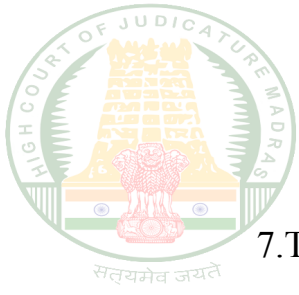


W.A(MD)Nos.1989 to 2005 of 2023

Municipality under Low Income Group Housing Scheme. The Government

thus endorsed and granted approval to the proposal submitted by the Municipality vide its resolution dated 22.11.1979. Pursuant to the permission accorded by the Government, 21 houses out of 30 houses came to be sold in favour of the municipal employees. As rightly commented by the learned counsel for the writ petitioners, while the scheme envisaged that 25% of the houses were to be allotted to municipal employees and the remaining 75% to the general public, the local body inverted this ratio. As a result, 21 out of the 30 houses came to be occupied and eventually sold to the Municipal employees. It is too late go into this aspect of the matter.

6.The only question that calls for consideration is whether the remaining houses can be sold to the writ petitioners. It is true that the writ petitioners herein are not having any allotment letters with them. It is also equally true that the writ petitioners have only been paying rent all these years. But then, the ignorance of the writ petitioners cannot be taken advantage of by the local body which is a State instrumentality under Article 12 of the Constitution of India and is expected to conduct its affairs in a fair and reasonable manner. That is why the learned single Judge called upon the Municipality to act in terms of the scheme. We do not find any ground to interfere with the order of the learned single Judge.



W.A(MD)Nos.1989 to 2005 of 2023

7.These Writ Appeals are dismissed. There shall be no order as to costs.

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Consequently, connected miscellaneous petitions are closed.

[G.R.S., J.] [K.R.S., J.]
21.07.2025

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

To

1.The Secretary to the Government of India,
Ministry of Works,
Housing and Supply,
New Delhi.

2.The Secretary,
Tamil Nadu Government,
Municipal Administration and
Water Supply Department,
Chennai – 600 001.

3.The District Collector,
Tuticorin District,
Tuticorin.



WEB COPY



W.A(MD)Nos.1989 to 2005 of 2023

G.R.SWAMINATHAN, J

and

K.RAJASEKAR, J.

MGA

W.A(MD)Nos.1989 to 2005 of 2023

21.07.2025