



W.P.(MD)No.22743 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.(MD)No.22743 of 2025

and

W.M.P.(MD)No.17781 of 2025

Preetha

... Petitioner

-Vs-

**1.The District Collector,
Dindigul District.**

**2.The Commissioner,
O/o. The Commissioner of Police,
Dindigul Corporation,
Dindigul Town, Dindigul District.**

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order made in Na.Ka.No. / 2025 / F1, dated 31.07.2025 passed by the 2nd respondent and quash the same and consequently, to direct the 2nd respondent to consider the petitioner's application under Section 135 of Tamil Nadu Urban Local Bodies Act, 1998 based on the representation dated 06.08.2025.



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W.P.(MD)No.22743 of 2025

For Petitioner : Mr.V.Muthusamundeeswaran
For R1 : Mr.S.P.Maharajan,
Special Government Pleader
For R2 : Mr.J.Lawrance

ORDER

(Order of the Court was made by ***S.M.SUBRAMANIAM, J.***)

The notice dated 31.07.2025 issued by the 2nd respondent under Tamil Nadu Town and Country Planning Act, 1971, (hereinafter referred to as 'the Act'), calling upon the petitioner to submit her building plan approval and documents, is under challenge in this Writ Petition.

2.Such a notice is not amenable to Writ jurisdiction, since it is premature. The petitioner is expected to submit building plan approval, if any obtained. The authorities competent have to verify the building plan approval and the construction made. In the present case, the authorities competent identified unauthorized construction and encroachment in a public land. Thus, the notice was issued.



W.P.(MD)No.22743 of 2025

WEB COPY

3.This Court do not find any infirmity in respect of the notice impugned.

After ascertaining the encroachment and unauthorized construction, further notice will be issued under Section 56 of the Act for lock and seal the premises. If any such notice is issued, the said notice may be subjected to revision under Section 80(A) of the Act. Even at that stage, the Writ Petition is not maintainable. Only after exhausting the remedy contemplated under the Act and Rules, an aggrieved person may approach the Court of law. In the present case, the impugned notice, calling upon the petitioner to submit her building plan approval, is not maintainable and thus, this Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.S., J.) & (G.A.M., J.)
20.08.2025

NCC : Yes / No

Index : Yes / No

Yuva

To

The District Collector,
Dindigul District.

3/4



WEB COPY



W.P.(MD)No.22743 of 2025

S.M.SUBRAMANIAM, J.

AND

G.ARUL MURUGAN, J.

Yuva

W.P.(MD)No.22743 of 2025

20.08.2025