



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2025

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.25808 of 2025

and

W.M.P(MD)Nos.20203, 20197 & 20199 of 2025

Thiagesar Trust,
Through its Authorised Signatory,
No.139-140, Kamarajar Salai,
Madurai.

...Petitioner

Vs

1. The State of Tamil Nadu,
Through its Principal Secretary,
Department of Municipal Administration and Water Supply,
Fort St. George,
Chennai.

2. The Madurai Corporation,
Through its Commissioner,
Madurai.

3. The Assistant Director/Member Secretary,
Madurai Local Planning Authority,
Madurai District Town and Country Planning Office,
Madurai.

...Respondents



PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified mandamus calling for the records relating to the impugned demand notice number BPP/115/2025/042/000255 dated 30/05/2025 issued by the 2nd respondent corporation and quash the same in so far as making demand of the excess building license fees than what is required under law and consequently direct the 2nd respondent to grant building plan approval for the constructions by the petitioner college pursuant to the planning permit granted by the 3rd respondent on 12/04/2025 in planning permission number 119 of 2025 based on the online application number SWP/BPA/379845/2024.

For Petitioner	: M/s.V.R.Shanmuganathan
For Respondents	: M/s.J.Ravindran Additional Advocate General assisted by M/s.S.Devasena Standing Counsel for R2 Mr.B.Saravanan Additional Government Pleader for R1 and R3

ORDER

The present writ petition has been filed seeking to quash the demand notice issued by the second respondent Corporation on 30.05.2025 wherein a sum of Rs.3,23,58,400/- has demanded as building license fee for the purpose of approving the building plan.



2. According to the learned counsel appearing for the writ petitioner, the second respondent Corporation does not have any jurisdiction to levy such building license fee.

3. The learned Additional Advocate General appearing for the second respondent submits that the impugned demand notice may be set aside and it may be remitted back to the file of the second respondent for fresh consideration.

4. According to the learned counsel appearing for the petitioner, without prejudice to his contention already building license fee has been deposited. In case, if the second respondent arrives at a findings that they do not have any jurisdiction to levy such a building license fee, already paid amount shall be refunded.

5. In view of the submission made by either parties, the impugned demand notice is set aside and the matter is remitted back to the file of the second respondent to consider it afresh including the jurisdiction of the second respondent to levy the building license fee. The refund of the already paid amount will depend upon the outcome of the proceedings.



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6. With the above said observations, this writ petition stands allowed. No costs. Consequently, connected miscellaneous petitions are also closed.

16.12.2025

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

To

1. The Principal Secretary,
Department of Municipal Administration and Water Supply,
Fort St. George,
Chennai.

2. The Madurai Corporation,
Through its Commissioner,
Madurai.

3. The Assistant Director/Member Secretary,
Madurai Local Planning Authority,
Madurai District Town and Country Planning Office,
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R.VIJAYAKUMAR, J.

RJR

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