



W.P(MD)No.28930 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.10.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)No.28930 of 2025

and

W.M.P(MD)No.22428 of 2025

A.Abubakkar

..Petitioner

Vs

1. The District Collector
Madurai District
Madurai

2. The Commissioner
Madurai Corporation
Madurai

3. The Inspector of Police
B5 Therkku Vasal Police station
Madurai

4. B.Subha
5. M.Rathinam

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus forbearing the 1st and 2nd respondents herein from permitting the 4th and 5th Respondents herein to damaging the Dharga and constructing the building in T.S. No.78/2B and T.S.No. 78/1B situated at Ward No.52, South Masi Street, Maduraj Town, Madurai and further direct the 1st and 2nd respondents herein to protect the Petitioner's Dharga situated in T.S.No.78/1B at Ward No.52, South Masi



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Street, Madurai Town, Madurai based on the Petitioner's representation
08.09.2025.

For Petitioner : Mr.G.Gomathisankar

For Respondents : Mr.A.Kannan
Addl. Govt. Pleader (for R1)

Mr.K.Sivabalan
Standing Counsel (for R2)

Mr.S.Prakash
Govt. Advocate (Crl. Side) (for R3)

ORDER

The petitioner has filed the present writ petition seeking issuance of a Writ of Mandamus, forbearing the respondents 1 and 2 from permitting the respondents 4 and 5 to damage the Dharga and construct any building in T.S.No.78/2B and T.S.No.78/1B, situated at Ward No.52, South Masi Street, Madurai Town, Madurai, and further directing the respondents 1 and 2 to protect the petitioner's Dharga situated in T.S.No.78/1B, Ward No.52, South Masi Street, Madurai Town, Madurai, based on the petitioner's representation dated 08.09.2025.

2. When the matter came up for hearing, the learned Standing Counsel appearing for the second respondent produced a copy of the building plan permission granted in respect of the subject building.



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3. On perusal of the building plan permission, it is seen that the construction in question has been made after obtaining necessary approval. The petitioner, instead of approaching the competent civil court, has chosen to invoke the writ jurisdiction of this Court. Hence, this writ petition is not maintainable.

4. Accordingly, this Writ Petition stands dismissed. No costs. Consequently, the connected miscellaneous petition is also closed.

16.10.2025

NCC : Yes/No

Index : Yes/No

Internet:Yes

skn

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P.T.ASHA, J.

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