



W.P(MD)No.30610 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.10.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)No.30610 of 2025

S.Farook Ali

... Petitioner

Vs

1.The Commissioner,
Madurai Corporation,
Madurai.

2.Chief Town Planning Officer,
Madurai Corporation,
Madurai.

3.The Assistant Commissioner,
East Zone-1,
Madurai Corporation,
Madurai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the first respondent to consider the petitioner's representation dated 17.10.2025 seeking permission to demolish his dilapidated building situated at Door No.150, Plot No.9, Survey Nos.63/6A and 63/6B of Vivekanandar Street, Madurai North Taluk, within the stipulated time that may be fixed by this Court.

For Petitioner : Mr.SP.Vijaynivas

For Respondents : Mr.K.Sivabalan
Standing Counsel



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ORDER

WEB COPY This writ petition has been filed seeking Writ of Mandamus to direct the first respondent to consider the petitioner's representation dated 17.10.2025 seeking permission to demolish his dilapidated building situated at Door No. 150, Plot No.9, Survey Nos.63/6A and 63/6B of Vivekanandar Street, Madurai North Taluk, within the stipulated time that may be fixed by this Court.

2. Heard the learned counsel appearing for the petitioner and Mr.K.Sivabalan, learned Standing Counsel, who takes notice for the respondents. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3. It is the case of the petitioner that he has purchased the petition mentioned property on 27.09.2023. Since there was an old building, the third respondent issued notice to the petitioner on 01.09.2025 to demolish the old building, after getting permission from the first respondent. Accordingly, the petitioner sent a representation to the first respondent on 17.10.2025 seeking permission to demolish his old building. However, the same has not been considered so far.



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4. It is rather unfortunate that the litigants rushed to Court seeking mandamus without even giving time to the statutory authority to receive their application and process the same. The provisions of Article 226 of the Constitution of India, which has been enacted to protect the right of the citizens, is sought to be misused. In the instant case, the petitioner has forwarded his representation only on 17.10.2025 and there is no document filed to show that his representation has duly reached the hands of the respondents. Further, the representation itself is pursuant to the order issued on 01.09.2025. Therefore, the Writ Petition is dismissed as being premature. The grievance ventilated in the affidavit is that the respondents have not yet considered the representation of the petitioner, for this reason, the writ petition has to be dismissed as being premature. However, considering the fact that the respondents have themselves directed the petitioner to carryout the demolition, they shall process the application of the petitioner as per Rules,expeditiously.

No costs.

29.10.2025

NCC : Yes/No

Index : Yes/No

Rmk



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P.T.ASHA, J.

Rmk

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