



WP.(MD)No.30652 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 28.10.2025

CORAM :

THE HONOURABLE Mr. JUSTICE P.VELMURUGAN
and
THE HONOURABLE Mrs. JUSTICE L.VICTORIA GOWRI

WP.(MD)No.30652 of 2025
and
WMP(MD) Nos.23787 and 23789 of 2025

Madurai Central Market Vegetables and Perishable Commodities Merchants
Coordinate Association
Rep. by its President Manuel Jeyaraj
Dindigul main road
Vilangudi
Madurai.

... Petitioner

vs.

1.The Commissioner
Madurai Corporation
Madurai.

2.The Assistant Director
Madurai Town and Country Planning Authority
Madurai.

.. Respondents

PRAYER: Writ Petition Criminal is filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for records relating to the impugned order made by the 1st respondent in File No. Mathi E3/2626/2024 dated 01.09.2025 and the consequential impugned proceedings in Mathi E2/002626/2024 dated 23.10.2025 and quash the same as illegal.



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For Petitioner : Mr. Issac Mohanlal, Senior Counsel
for Mr. Mahaboob Athiff.M

For R1 :Mr.S.Devasena, Standing Counsel

For R2 : Mr.M.Sarangan
Additional Government Pleader

ORDER

(Order of the Court was made by **P.VELMURUGAN. J.,**)

The prayer in the writ petition is to quash the impugned order passed by the first respondent in File No. Mathi E3/2626/2024 dated 01.09.2025 and the consequential impugned proceedings in Mathi E2/002626/2024 dated 23.10.2025

2. The learned Senior counsel appearing for the petitioner would submit that without issuing notice to the petitioner and conducting survey as per Rules 3 and 4 of the Tamil Nadu Town and Country Planning (Removal of Unauthorized Development) Rules 2022, the impugned order dated 23.10.2025 has been passed proposing removal of unauthorised construction in Paravai Vegetables Market today at 10.00 a.m. Therefore, the impugned orders are hit by the violation of principles of natural justice and also contrary to the above said rules. By virtue of the impugned order dated 23.10.2025, the authorities are on the spot in the process of removal of unauthorised construction.



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According to the learned counsel, without surveying the disputed construction in the presence of the petitioner, the authorities ought not to have resorted for removal of unauthorised construction. Thus, the learned counsel would pray for setting aside the impugned orders.

3. The learned Standing Counsel appearing for the Madurai Corporation would submit that already the matter went upto the Hon'ble Supreme Court and the Apex Court also dismissed the petition and subsequently, a contempt petition in Cont.P(MD)No.141 of 2020 was also filed before this Court which was heard along with W.P(MD)Nos.16730 & 18730 of 2024 and W.A(MD)No. 2474 of 2024 and by a common order dated 15.10.2025, this Court passed the following order:

“ Since the High Court had granted a period of one month for removal of encroachment , Mr.Issac Mohanlal, learned Senior Counsel, would request that the period of one month shall run from 06.10.2025.

3. Hence needful be done prior to 07.11.2025

4. No further orders are required in these matters..

4. As per the undertaking given in the above said contempt petition on 15.10.2025, time of one month ends on 05.11.2025. Therefore, the petitioner is permitted to remove the unauthorised construction on or before 05.11.2025,



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failing which, the first respondent herein is permitted to remove the unauthorized construction as per the order of this Court as confirmed by the Hon'ble Apex Court.

5. With the above direction, the writ petition stands disposed of. No costs. Consequently connected miscellaneous petitions stand closed.

(P.V., J) (L.V.G., J)
28.10.2025

Index : Yes/No
Internet : Yes/No
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To

1.The Commissioner,
Madurai Corporation,
Madurai.

2.The Assistant Director,
Madurai Town and Country Planning Authority,
Madurai.



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**P.VELMURUGAN, J
and
L.VICTORIA GOWRI, J.**

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