



W.P.(MD)Nos.33207 & 33208 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.11.2025

CORAM:

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**
AND

THE HONOURABLE **MR.JUSTICE C.KUMARAPPAN**

W.P.(MD)Nos.33207 & 33208 of 2025 &
W.M.P.(MD)Nos.26214 & 26215 of 2025

Thirumalai Kumar ...Petitioner in W.P.(MD)No.33207 of 2025

P.Muniasamy ...Petitioner in W.P.(MD)No.33208 of 2025

/Vs./

1.The Secretary to Government,
The State of Tamil Nadu,
The Housing and Urban Development Department,
Fort St.George, Chennai - 600 009.

2.The Director of Municipal Administration,
Office of Director of Municipal Administration,
Chepauk, Chennai - 600 005.

3.The Commissioner,
Tenkasi Municipality,
Tenkasi, Tenkasi District.

4.The Inspector,
Town Police Station,
Tenkasi, Tenkasi District.

...Respondents in both petitions



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COMMON PRAYER:- Writ Petitions - filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the impugned proceedings issued by the 3rd respondent Commissioner in Na.Ka.Nos.2927/2023/F1 and 758/2025/F1 dated 12.11.2025 (seeking protection from the 4th respondent, Inspector to lock and seal the petitioners' house on 19.11.2025), quash the same.

In both cases,

For Petitioners : Mr.T.Cibichakraborty

For Respondents : Mr.S.P.Maharajan,

Special Government Pleader
for R1, R2

Mr.P.Athimoola Pandian for R3

Mr.P.Kottai Chamy,

Government Advocate (Crl. Side)

for R4

COMMON ORDER

(Order of the Court was made by **C.KUMARAPPAN, J.**)

Since the issue involved in the Writ Petitions is one and the same, a common order is passed in these Writ Petitions.



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2. The present writ petitions have been filed challenging the impugned orders dated 12.11.2025 being a letter addressed by the third respondent to the fourth respondent seeking police protection.

3. It is the case of the petitioners that they have constructed a house after obtaining proper and necessary permission from the third respondent. When the petitioners received notice under Section 56(1) of the Tamil Nadu Town and Country Planning Act, 1971, they preferred Writ Petitions in W.P.(MD)Nos.13082 & 13247 of 2025, wherein, in paragraphs 3 to 5, this Court has observed as follows:-

3. Learned counsel for the petitioner made a submission that the petitioner is not interested in pursuing the grounds raised in this writ petition, but, he may be permitted to prefer a statutory revision under Section 80-A of the Tamil Nadu Town and Country Planning Act, 1971.

4. The submission that the petitioner will prefer a statutory revision would be of no bar to the authorities concerned to continue the enforcement action in accordance with law, provided an interim order is granted by the Government in the revision, if any, filed by the petitioner. In the event of preferring any such revision, the Government shall dispose of the same on merits and in accordance with law as expeditiously as possible.



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5. With the above observations, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

4. It is the specific contention of the learned counsel for the petitioners that the petitioners already preferred revision petitions as against the notices issued by the third respondent and such revisions are pending before the first respondent Authority and until the disposal of the same, the third respondent should not seek any police protection to enforce lock and seal.

5. While looking at the impugned orders dated 12.11.2025, the same were not issued against the petitioners. The petitioners, aggrieved against the notices issued by the third respondent under Section 56(1) of the Tamil Nadu Town and Country Planning Act, 1971, challenged the same in W.P.(MD)Nos.13082 & 13247 of 2025, and as extracted hereinabove, this Court has specifically observed that the Authority can continue the enforcement action in accordance with law subject to any interim order granted by the Government in the revisions.



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6. Though the petitioners would submit that they have already preferred revision petitions, admittedly, there are no interim orders. Therefore, the orders of this Court in W.P.(MD)Nos.13082 & 13247 of 2025 have to be followed to its letter and spirit. If at all the petitioners had any grievances in the observations made by this Court in the above Writ Petitions, their remedy is not filing Writ Petitions again, but, only preferring appeals.

7. In view of the specific directions made by this Court in W.P. (MD)Nos.13082 & 13247 of 2025 under orders dated 05.06.2025, we absolutely do not find any ground to interfere with the impugned orders.

8. Accordingly, the Writ Petitions are dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

[A.S.M.J.] & [C.K.J.,]
19.11.2025

NCC :Yes/No
Index :Yes/No
Internet :Yes
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To
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1.The Secretary to Government,
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DR.ANITA SUMANTH, J.
AND
C.KUMARAPPAN, J.

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Order made in
W.P.(MD)Nos.33207 & 33208 of 2025

Dated:
19.11.2025