



WEB COPY

W.P.(MD) No.35748 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.12.2025

CORAM:

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
and
THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN**

**W.P.(MD) No.35748 of 2025
and
W.M.P.(MD) No.28351 of 2025**

Suham Hospitals
rep.by its Program Officer
L.Jesuraja
47A, TB Road
Mehaboobpalayam
Madurai

... Petitioner

-vs-

- 1.The Director of Municipal
Administration
No.75, Urban Administration Buildings
Santhom High Road
MRC Nagar, Chennai-28
- 2.The Joint Director of Municipal
Administration
Nodal Officer
No.75, Urban Administration Buildings
Santhom High Road
MRC Nagar, Chennai-28



W.P.(MD) No.35748 of 2025

WEB COPY

3.The Commissioner
Madurai Corporation Office
Mela Mart Street
Madurai-625 001

4.The Assistance Commissioner
Zone 3 (Central)
Madurai Corporation Office
Mela Mart Street
Madurai-625 001

5.The Assistance Executive
Engineer (Planning)
Madurai Corporation Office
Mela Mart Street
Madurai-625 001

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus calling for the records of the respondents in connection with the order dated 01.12.2025 by the fourth respondent and quash the same in so far as the petitioner is concerned and direct the respondents by restraining from taking any coercion action against the petitioner's approved building as constructed as per the process of law.

For Petitioner : Mr.S.Kumar
for Mr.M.Venkatesan

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1 & R2
Mr.S.Vinayak for R3 to R5



WEB COPY

W.P.(MD) No.35748 of 2025

ORDER

[Order of the Court was made by DR.G.JAYACHANDRAN, J.]

This writ petition has been filed by the building plan violator aggrieved by the impugned notice dated 01.12.2025, issued by the respondent – Corporation.

2. The impugned notice issued by the respondent – Corporation indicates that the same has been issued pursuant to the High Court order, dated 15.10.2025, passed in W.P.(MD) No.25518 of 2025. The relevant portion of the said order is extracted hereunder:

“Be that as it may, since such directions have been given and the petitioner has also complied with the same, we find no justification in passing of order dated 11.09.2025 in violation of principles of natural justice. Hence, the impugned order is set aside. The petitioner shall appear before R4 on 28.10.2025 accompanied by a copy of his reply dated 01.09.2025 and supporting documents, if any. He shall be granted audience, heard and the ongoing proceedings will be completed within a period of three weeks thereafter (ie., on or before 18.11.2025) in accordance with law.”



W.P.(MD) No.35748 of 2025

WEB COPY

3. The Assistant Commissioner, Madurai Corporation, having inspected the subject premises and verified the sale documents of the petitioner has found that the subject building has been constructed without giving OSR space and provisions for vehicle parking and hence, instructed the petitioner to remove unauthorized structures and rectify the defects within a period of fifteen days, or else, action will be taken for removal of the unauthorized structures and lock and seal proceedings will be initiated.

4. Learned counsel for the petitioner would submit that there is no building plan violation and the property was purchased by the petitioner as it is.

5. This Court finds that the petitioner herein has earlier approached this Court and this Court has passed a specific order that violation in the planning permit has to be rectified within a period of three weeks. However, the petitioner has not rectified the defects. Hence, the impugned notice came to be issued granting fifteen days for the petitioner to rectify the defects and violations.



WEB COPY



W.P.(MD) No.35748 of 2025

6. In the above said circumstances, the petitioner has filed this writ petition challenging the notice issued by the respondent – Corporation. We find no merit in this writ petition. Hence, this writ petition is dismissed. The petitioner is expected to rectify the violations in the subject building, within the time prescribed, failing which, the authorities concerned have every right to demolish the violated portion of the building as well as to keep the premises under lock and seal. No costs. Consequently, connected miscellaneous petition is closed.

[G.J., J.]

[K.K.R.K., J.]

15.12.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

krk

To:

1.The Director of Municipal
Administration,
No.75, Urban Administration Buildings,
Santhom High Road,
MRC Nagar, Chennai-28.



W.P.(MD) No.35748 of 2025

WEB COPY

2.The Joint Director of Municipal
Administration,
Nodal Officer,
No.75, Urban Administration Buildings,
Santhom High Road,
MRC Nagar,
Chennai-28.



WEB COPY



W.P.(MD) No.35748 of 2025

DR.G.JAYACHANDRAN, J.
AND
K.K.RAMAKRISHNAN, J.

krk

W.P.(MD) No.35748 of 2025
and
W.M.P.(MD) No.28351 of 2025

15.12.2025