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W.P.No.30214 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.02.2026

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 30214 of 2024

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W.M.P.Nos. 32899 & 32903 of 2024

1.T. Baskaran

2.S. Sundar

3.S. Robert

4.S. Murugadass

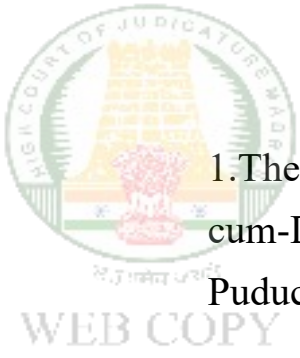
5.Abdul Hak

6.S. Johnson

7.T. Venkatesan

...Petitioners

Vs.



W.P.No.30214 of 2

1.The District Collector
cum-District Magistrate, Karaikal,
Puducherry-609602

2.The Sub-Collector (Revenue)
Office of the Sub-Collector,
Karaikal.

3.The Commissioner of Municipality,
Office of the Commissioner of Municipality,
Karaikal Municipality,
Karaikal

4.The Tahsildhar,
Office of Tahsildhar,
Karaikal.

5.The Executive Engineer
Buildings and Roads Division,
Public Works Department,
Karaikal.

6.The Administrator,
Hajee Moona Thambi Saiboo Maraikayar Trust,
No.89, Kamarajar Salai,
Karaikal.

...Respondents



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Prayer: Writ Petition is filed under Section 226 of the Constitution of India for issue of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned report of the 5th respondent in I.D.Note No.2729/PW/B&R/D4/16-17, dated 12.12.2016 and quash the same and consequently direct the respondents herein not to disturb the peaceful possession and enjoyment of the property situated at Pandagasalai Building situated at Ward F, Block 41, Karaikal in which the petitioners are doing individual business.

For Petitioner : Ms. A.Jagadeeswari

For Respondents : Mr. R.Sreedhar
1 to 5 Additional Government Pleader
(Puducherry)

For Anna University Mr. U.Bharanidharan
Standing Counsel

ORDER

This writ petition is filed for the following relief:

“To call for the records pertaining to the impugned report of the 5th respondent in I.D.Note No.2729/PW/B&R/D4/16-17, dated 12.12.2016 and quash



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the same and consequently direct the respondents herein not to disturb the peaceful possession and enjoyment of the property situated at Pandagasalai Building situated at Ward F, Block 41, Karaikal in which the petitioners are doing individual business.”

2.The petitioners are doing business individually in the Pandagasalai Building situated at Ward F, Block 41, Karaikal which belongs to the Trust, namely, Hajee Moona Thambi Saiboo Maraikayar Trust, the 6th respondent herein. It is their case that the 6th respondent has made a representation to the authorities stating that the building is in a dilapidated condition and to conduct inspection and submit a report. The committee also conducted a spot inspection and gave a report to the District Collector, stating that the building is in dilapidated state. Subsequently, by order dated 05.07.2019, the petitioners were directed to be evicted from the said premises.

3.Challenging the same, the petitioners had filed WP.No.22493 of 2019 etc., before this Court and this Court by order dated 07.08.2019



was pleased to pass the following order:

“9 On the one hand, the livelihood of the occupants is involved and on the other hand, it involves the lives of the occupants. In the considered view of this Court, the latter is more important since without living there is no question of livelihood,

10. In view of the above, this Court is not inclined to interfere with the order of the 1st respondent. However, in order to ensure that the livelihood of the petitioners is taken care, it will be open to the petitioners to make individual representations before the District Collector, Karaikkal explaining the number of years they have been doing business along with supporting materials and the District Collector is requested to consider the representation and act upon the same taking into consideration the livelihood of the petitioners. This Court is sure that the District Collector, Karaikkal, will look into the matter purely humanitarian considerations. The petitioners shall also be given sufficient time to vacate the



premises.

11.All these writ petitions are disposed of with the above directions. Consequently, the connected miscellaneous petitions are closed"

4. Based on the above order, the petitioners have submitted their representations. However, there is no response to the same. Therefore, the petitioners are before this Court.

5. This Court by order dated 17.10.2024, had directed the Registrar, Anna University, to form an Expert Team to inspect the said premises and to submit a report, which report was also received in a sealed cover on 06.01.2026. In the said report it has been stated as follows:

“The investigated building is a load – bearing structure. In this, the building superstructure consists of brick masonry with mud mortar for walls, longitudinal and transverse timber joists as roofing system and clay tiles as roof coverings and the roof projections were



supported by transverse timber joists and timber columns.

Based on the above said structural and functional condition of the building, the committee opines that,

i. Most of the load-bearing structural components in the residential and commercial dwellings were severely damaged and it is in dilapidated condition. Visible damages were observed in the structural components of the building which may adversely affect the load-carrying capacity of the members.

ii. Most of the dwellings have persistent dampness and microbial & algae growth on interior wall surfaces which may lead to adverse health effects for the occupants. Hence, it is not suitable for functioning according to World Health Organisation guidelines for indoor air quality: dampness and mold. These dwellings lack basic facilities such as ventilation, exhaust, water and drainage system.

iii. Even though a few shops have repaired the roofing system, the repair is lacking in structural



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adequacy. It does not meet the Indian Standard Codal provisions for repair and strengthening of masonry structures such as IS 13935 (2009): Seismic Evaluation, Repair and Strengthening of Masonry Buildings – Guidelines. IS 15498 (2004): Guidelines for Improving the Cyclonic Resistance of Low-Rise Houses and other Buildings / Structures.

iv. The entire building has excessive deformation and material degradation. Hence, any failure in the building may lead to a sudden collapse. Considering the safety of the building's occupants, passers-by, and the public, the aforesaid building is unsuitable for residing and functioning any business operations in the present condition”.

6. A perusal of the above report clearly indicates that the building is in a highly dilapidated state non suitable for residing and carrying on business operation. Therefore, the relief claimed by the petitioners cannot be sustained and accordingly, the petitioners shall be evicted



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from the dilapidated building within a period of 2 weeks from the date of receipt of a copy of this order. However, the respondents shall bear in mind the directions issued by this Court in WP.No.22493 of 2019 dated 07.08.2019. It is informed that the amount payable to the expert team is yet to be paid. The petitioners shall ensure that the payment is made immediately.

7. With the above observation, this writ petition is dismissed. Consequently, the connected miscellaneous petitions are closed. No costs.

02.02.2026

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To

- 1.The District Collector
cum-District Magistrate, Karaikal,
Puducherry-609602
- 2.The Sub-Collector (Revenue)
Office of the Sub-Collector,
Karaikal.
- 3.The Commissioner of Municipality,
Office of the Commissioner of Municipality,
Karaikal Municipality,
Karaikal
- 4.The Tahsildhar,
Office of Tahsildhar,
Karaikal.
- 5.The Executive Engineer
Buildings and Roads Division,
Public Works Department,
Karaikal.
- 6.The Administrator,
Hajee Moona Thambi Saiboo Maraikayar Trust,
No.89, Kamarajar Salai,
Karaikal.

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