



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.04.2026**

CORAM:

THE HONOURABLE **MR.JUSTICE N.SATHISH KUMAR**

AND

THE HONOURABLE **MR.JUSTICE M.JOTHIRAMAN**

W.P.(MD)No.510 of 2026

M.Sankaran

... Petitioner

Vs.

1.The Joint Director,
Tirunelveli Town and Country Planning,
Having Office at South Bypass Road,
St.Xavier's Colony,
Palayamkottai,
Tirunelveli District.

2.The Commissioner,
Tirunelveli City Municipal Corporation,
Having office at S.N.High Road,
Tirunelveli District.

3.The City Engineer (Plan Permission),
Tirunelveli Corporation,
Having office at S.N.High Road,
Tirunelveli.

4.Igeer Rahaman

...Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 to 3 to



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remove the unauthorized construction made by the fourth respondent based on the petitioner's representation dated 19.12.2025 within stipulated time fixed by this Court.

For Petitioner : Mr.T.Selvan
For Respondents : Mr.J.Ashok (R1)
Additional Government Pleader
Mr.A.Sivanu Pandian (R2 & R3)
Standing Counsel
Mr.S.Palani Velayutham (R4)

ORDER

(Order of the Court was made by **N.SATHISH KUMAR, J.**)

This writ petition has been filed seeking a direction to the respondents 1 to 3 to remove the unauthorized construction made by the fourth respondent.

2.The contention of the petitioner is that the fourth respondent is putting up a construction in the subject property without obtaining any permission from the local authorities. The representation submitted by the petitioner to take action as against such unauthorized construction, does not evoke any response. Hence, the petitioner has filed the present writ petition.



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3.The learned Additional Government Pleader appearing on behalf of the first respondent, by placing reliance on the counter affidavit filed by the first respondent, submitted that admittedly, the fourth respondent has not obtained any permission whatsoever from the local authorities. He further submitted that though an application for regularization was filed by the fourth respondent, the same was returned pointing out certain defects. However, the said application has neither been resubmitted nor has any fresh application been filed. Consequently, action has been initiated against the fourth respondent under Sections 56 and 57 of the Tamil Nadu Town and Country Planning Act for removal of the unauthorized construction, and such proceedings are presently in progress.

4.Heard the learned counsel appearing on either side and perused the materials placed on record.

5.Perusal of the affidavit as well as the counter affidavit filed by the first respondent shows that the construction in question is admittedly an unauthorized construction. It is also evident that the



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competent authorities have already initiated appropriate proceedings under Sections 56 and 57 of the Town and Country Planning Act, 1971 for removal of the said unauthorized construction.

6. In view of the above, no further direction is required to be issued by this Court. The authorities concerned are directed to proceed with the action already initiated, in accordance with law, for removal of the unauthorized construction and complete the entire exercise within a period of three months from the date of receipt of a copy of this order.

7. With the above direction, this writ petition is disposed of. There shall be no order as to costs.

[N.S.K., J.] & [M.J.R., J.]
07.04.2026

Index : Yes/No
Internet : Yes
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To

1. The Joint Director,
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St. Xavier's Colony,



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Tirunelveli District.

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**N.SATHISH KUMAR, J.
AND
M.JOTHIRAMAN, J.**

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