



W.P.(MD) No.830 of 2026

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.01.2026

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

and

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

W.P.(MD)No.830 of 2026

and

W.M.P.(MD)No.685 of 2026

S.Godwin Sam

... Petitioner

-VS-

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Member Secretary / Joint Director,
Tirunelveli Local Planning Authority,
Tirunelveli District.

3.The Commissioner of Tirunelveli Corporation,
Tirunelveli.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records pertaining to the impugned



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Form III notice issued by the second respondent in Na.Ka.No. 1010/2025/Thili.Maa.3, dated 22.12.2025 is illegal and quash the same.

For Petitioner : Mr.A.Aruljenifer
For Respondent No.1 : Mr.S.R.A.Ramachandran,
Additional Government Pleader
For Respondents 2 & 3 : Mr.S.P.Maharajan,
Special Government Pleader

ORDER

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

Pursuant to the High Court direction in W.P.(MD)No.9095 of 2025, vide order dated 25.04.2025, the authorities have initiated action against the writ petitioner herein for converting the residential premises as a prayer hall. On 22.12.2025, Form-III notice been issued by the Commissioner, Tirunelveli City Municipal Corporation, calling upon the writ petitioner to restore the land to its condition before the said development took place by demolishing the building carried out on the land within 30 days from the date of receipt of the notice.

2.The photographs of the development taken during the site inspection also enclosed, which is *per se* without permission. In the said



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impugned notice, the Commissioner has also stated that the petitioner should discontinue the use of the building within 30 days from the date of receipt of the notice and if the owner or occupier fail to discontinue the use of the building within the specified period, appropriate action under Section 2(a) of Section 56 of 'the Tamil Nadu Town and Country Planning Act, 1971' [hereinafter referred as 'the Act'], will be initiated. The Member Secretary, Town and Country Planning has also issued proceedings dated 22.12.2025, referring the High Court order and the notice issued by the Town and Country Planning office on 18.12.2025, intimating the writ petitioner that the building has no permission to use as a Church / prayer hall and therefore, same has to be discontinued immediately and intimated the writ petitioner that necessary action will be taken under Section 56 & 57 of the Act.

3. Learned Counsel appearing for the petitioner would submit that the notice of the Member Secretary, Town and Country Planning has not specified time for removal of the unauthorised structure and activity. However, as pointed out by the learned Special Government Pleader, Form-III notice dated 22.12.2025 issued by the Commissioner of City Municipality clearly indicates that the petitioner has to discontinue the use of the building within 30 days from the date of the notice and if he fails to



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do so, necessary action will be taken under Section 2(a) of Section 56 of Tamil Nadu Town and Country Planning Act, 1971.

4.In the said circumstances, this Court finds no substance in the Writ Petition for issuance of Certiorari. Hence, the Writ Petition stands dismissed. We make it clear that if the petitioner desist from use of the building contrary to the permission granted under the Town and Country Planning Act, there shall not be any coercive action. There shall be no order as to costs.

[G.J., J.] & [K.K.R.K., J.]

12.01.2026

NCC : Yes / No

Index : Yes / No

Internet: Yes / No

MR



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