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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **17.03.2026**

CORAM:

THE HONOURABLE **MR.JUSTICE N.SATHISH KUMAR**
AND
THE HONOURABLE **MR.JUSTICE M.JOTHIRAMAN**

W.P.(MD)No.1802 of 2026

Kowsalya

... Petitioner

Vs.

1.The Commissioner (Corporation),
Madurai Municipal Corporation,
Madurai-625002.

2.The Assistant Commissioner, (Corporation),
Assistant Commissioner Office,
Madurai South Zone, Corporation Limit,
Madurai-625009.

3.The District Collector,
District Collector Office,
Madurai-625020.

4.Alagu Sundari

5.Thangappandi

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the first and second respondents to take action against the illegal construction of building in T.S.No.2597/1, D.No.2B, Ward No.45, Kamarajapuram, Old West Street, Now Muthuramalinga Thevar Street, Madurai-625009 by the 4th and 5th



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respondent and remove the same by considering the representation of the petitioner dated 13.11.2025 within the time fixed by this Court.

For Petitioner : Mr.K.Vigneshwaran
For R3 : Mr.S.P.Maharajan,
Special Government Pleader
For R1 & R2 : Mr.S.Vinayak,
Standing Counsel
For R4 & R5 : Mr.R.Jaswanth Ram,
for Mr.C.Sundaravadivel

ORDER

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

This writ petition has been filed seeking a direction to the first and second respondents to take action against the illegal construction of building in T.S.No.2597/1, D.No.2B, Ward No.45, Kamarajapuram, Old West Street, Now Muthuramalinga Thevar Street, Madurai-625009 by the 4th and 5th respondent and remove the same by considering the representation of the petitioner dated 13.11.2025 within a time frame.

2.A careful perusal of the affidavit filed in support of this petition shows that there is a civil dispute in O.S.No.348 of 2025 on the



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file of the Principal District Munsif Court, Madurai is pending between the parties. Therefore, we are of the view that when a civil suit is pending between the parties, the petitioner cannot maintain the present writ petition in the guise of un-authorised construction. The petitioner has to workout her remedy only in the pending suit. We do not find any merits in this writ petition and the same is liable to be dismissed.

3.In the result, this writ petition is dismissed. There shall be no order as to costs.

[N.S.K., J.] & [M.J.R., J.]
17.03.2026

Index :Yes/No
Internet :Yes
GNS

To

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

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