



W.P.(MD)No.3033 of 2026

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.03.2026

CORAM:

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

**W.P.(MD)No.3033 of 2026
and
W.M.P.(MD)No.2503 of 2026**

M.Saravana Sankar

... Petitioner

Vs.

1. The District Collector,
Madurai District,
Madurai.
2. The Commissioner,
Corporation of Madurai,
Madurai.
3. The Executive Engineer and The
Administrative Officer,
Tamil Nadu Housing Board,
Ellis Nagar,
Madurai -625 016.

4. A.R.Sudalai

...Respondents

PRAYER:- Writ Petitioner – filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents



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No.1 to 3 to remove the unauthorized construction being constructed by the above 4th Respondent in the open common area based on the petitioner's representation dated 22.01.2026.

For Petitioner : Mr.M.Sheik Abdullah

For Respondents : Mr.D.Sasi Kumar,
Addl. Govt. Pleader for R1
Mr.R.Sivakumar for R3
Mr.K.Sivabalan for R2
No Appearance for R4

ORDER

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

This Writ Petition is filed seeking a direction to the respondents No.1 to 3 to remove the unauthorized construction being constructed by the above 4th Respondent in the open common area based on the petitioner's representation dated 22.01.2026.

2. Though the name of the 4th respondent is printed in the cause list, none appeared for the 4th respondent.



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3. It is the contention of the petitioner that he is residing in the first floor and the 4th respondent is residing in the ground floor. It is the further contention of the petitioner that the 4th respondent is putting up a construction in the common area. In this regard, the petitioner has already sent a representation on 22.01.2026 seeking to remove the said encroachment. However, till date, no action has been taken by the respondents. Hence, the petitioner has filed this Writ Petition.

4. The learned counsel appearing for the Corporation submitted that a notice has already been issued under Section 135 of the Tamil Nadu Urban Local Bodies Act and that the work has been stopped. He further submitted that, upon conducting a survey, it was found that the common area stands in the name of the Housing Board. Therefore, the authorities will proceed in accordance with law to remove the construction.

5. In such view of the matter, respondents 1 to 3 are directed to take action for removal of the encroachment in accordance with law, within a period of two months from the date of receipt of a copy of this order.



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6 With the above directions, this writ petition is disposed of.

Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

[N.S.K., J.] & [M.J.R., J.]
04.03.2026

Index : Yes/No

NCC : Yes/No

vsm



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