



W.P.(MD).No.5514 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.02.2026

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.5514 of 2026

and

W..M.P(MD) No.4630 of 2026

Buvaneshwaran,
Secretary,
Maruthupandiar Agamudaiyar Nalasangam,
S/o.Pitchai,
Nadar Keela Theru,
Thiruppuvanam,
Sivagangai District – 630 611.

... Petitioner

Vs.

1. The State of Tamil Nadu,
Through the Secretary to Government,
Department of Town and Country Planning,
Secretariat, Chennai – 600 009.

2. The Director of Town and Country Planning,
Town and Country Planning Office,
CMDA Complex,
E & C Market Road,
Koyambedu,
Chennai – 600 007.

3. The Executive Officer,
Selection Grade Town Panchayat,
Thiruppuvanam,
Sivagangai District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus forbearing the third respondent from interfering with the peaceful possession and enjoyment of the property situated at Maruthupandiar Agamudaiyar Nalasangam situated at Uchimahali Amman Koil Street, Nelmudikarai, Thiruppuvanam, Sivagangai District till the completion of the enquiry initiated in Na.Ka.No. 2515/2026/TCP-10 regarding the petitioner's application dated 03.02.2026 for exemption and pass further orders as this Court may deem fit.

For Petitioner	: Mr.J.Anandkumar
For R1 & R2	: Mr.M.Gangatharan Government Advocate
For R3	: Mrs.D.Farjana Ghoushia Special Government Pleader

ORDER

The present Writ Petition has been filed seeking a Mandamus forbearing the third respondent from interfering with the peaceful possession and enjoyment of the property of the writ petitioner till the enquiry initiated by the second respondent is completed.



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2. Admittedly, the petitioner Association had obtained building plan approval from the third respondent for putting up construction of a community hall. However, after obtaining approval, some excess constructions have been made by the petitioner Association. Therefore, the petitioner has approached the second respondent for regularization of the construction which are made in excess of the approval granted. This application has been made to the second respondent on 03.02.2026 and an enquiry is posted on 27.02.2026.

3. According to the learned counsel appearing for the writ petitioner, when the enquiry is pending before the second respondent, the third respondent is attempting to disturb the possession of the petitioner and trying to lock and seal the premises. Hence, the present writ petition has been filed.

4. In view of the above said facts, there shall be a direction to the third respondent to await for the orders of the second respondent with regard to the regularization of the excess construction put up by the petitioner Association. Depending upon the orders of the second respondent, the third respondent is entitled to proceed in accordance with law.



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5. With the above said observation, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently connected Miscellaneous Petition stands closed.

27.02.2026

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

1. The Secretary to Government,
Department of Town and Country Planning,
Secretariat, Chennai – 600 009.
2. The Director of Town and Country Planning,
Town and Country Planning Office,
CMDA Complex,
E & C Market Road,
Koyambedu,
Chennai – 600 007.
3. The Executive Officer,
Selection Grade Town Panchayat,
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R.VIJAYAKUMAR,J.

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