



W.P(MD)No.9389 of 2026

WEB CODE **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.9389 of 2026
and
W.M.P(MD)No.7517 of 2026**

Thilak Shubadharshan

... Petitioner

vs.

1.The Secretary to Government,
Housing and Urban Development,
Secretariat,
Chennai.

2.The Commissioner,
Dindigul Corporation,
Dindigul.

3.The Deputy Director,
Department of Town and Country Planning,
Dindigul.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India
praying for issuance of a Writ of Mandamus, directing the first respondent to



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dispose of the petitioner's application dated 25.06.2025 within a time frame stipulated by this Court and till such time to forbear the respondents from initiating any coercive action in respect of the petitioner's property bearing T.S.No.65, Old T.S.No.192 and 193, Ward No.2, Block No.4B, Door No.1 and 2, Pensioner Street, Palani Road, Dindigul.

For Petitioner : Mr.S.Selva Aditya

For Respondents : Mr.J.Ashok (R1 & R3)
Additional Government Pleader

: Mr.J.Lawrance (R2)
Standing Counsel

ORDER

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

The petitioner has filed the present Writ Petition seeking a direction to the first respondent to dispose of the petitioner's application dated 25.06.2025 within a time frame stipulated by this Court and, until such disposal, to forbear the respondents from initiating any coercive action in respect of the petitioner's property bearing T.S.No.65, Old T.S.No.192 and 193, Ward No.2, Block No.4B, Door Nos.1 and 2, Pensioner Street, Palani



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2.The petitioner owns a property at Pensioner Street, Palani Road, Dindigul (Ward No.2, Block No.4B, T.S.No.65, Old T.S.No.192 & 193, Door Nos.1 & 2) and intended to serve the people by constructing a hospital named Jayam Hospital. The second respondent approved the building on 25.02.2022. Subsequently, one PRD Raja filed a Writ Petition in W.P.(MD) No.30555 of 2024 alleging deviations in the building. This Court, by order dated 12.03.2025, directed the officials to conduct an enquiry and take appropriate action on the petitioner's representation. On enquiry, it was found that there is minor deviation. In the meanwhile, officials are allegedly threatening to lock and seal the hospital. The petitioner emphasizes that the hospital serves patients and employs 10 staff members. Minor deviations exist, which are easily rectifiable, and any coercive action would disrupt the hospital, adversely affecting staff and patients.



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3.The learned counsel for the petitioner submitted that the petitioner had submitted an application before the concerned authority to rectify the revised plan under Section 135 of the Tamil Nadu Urban Local Bodies Act, 1998. However, the second respondent/Corporation passed an order treating itself as having no power to grant a revised plan. Challenging the same, the petitioner preferred an appeal under Section 80-A of the Town and Country Planning Act, 1971. Hence, the petitioner filed this Writ Petition seeking protection against any coercive action while the matter is pending before the authorities.

4.We have heard the learned counsel appearing on either side and perused the materials available on record.

5.On perusal of the materials, it is observed that the revised application for approval submitted before the second respondent was rejected by order dated 02.06.2025 on the ground that the planning permission submitted was beyond the jurisdiction of the second respondent.



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We note that, in case of minor deviations, Section 135(4) of the Tamil Nadu Urban Local Bodies Act, 1998 confers ample power on the Commissioner to process and approve the revised plan.

6. Accordingly, the petitioner is directed to submit a fresh revised plan before the second respondent/Commissioner within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the revised plan shall be considered in accordance with law. Until such consideration, there shall be no coercive action taken based on the earlier complaint.

7. With the above directions, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

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

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

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To

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and
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