



W.P.(MD)No.13488 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 06.04.2026

CORAM:

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

**W.P.(MD)No.13488 of 2025
and W.M.P.(MD)Nos.9713, 9716 & 9717 of 2025**

S.Subramanian

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. By, Housing and Urban Development
Department, St.George Fort,
Chennai - 600 009.
2. The Director,
Directorate of Town and Country Planning,
2nd, 3rd and 4th Floor,
C and E Market Road,
Koyambedu, Chennai - 600 107.
3. The Deputy Director,
Town and Country Planning,
Sivagangai Zone,
Sivagangai.
4. The District Collector,
Sivagangai District,
Sivagangai.
5. The Revenue Divisional Officer,
Sivagangai, Sivagangai District.



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6. The Tahsildar,
Kalaiyarkovil Taluk,
Sivagangai District.

7. The Block Development Officer,
Kalaiyarkovil Union,
Sivagangai District.

8. The Executive Officer/ Village
Panchayat President,
Kalaiyarkovil Village Panchayat,
Kalaiyarkovil Block Panchayat,
Sivagangai District.

9. S.Mala Rani ... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, call for the records relating to the impugned order passed by the 8th respondent made in ROC No. 08-2024-2025 dated 30.11.2024 and quash the same as illegal and consequently directing the respondents 1 to 8 to remove the illegal construction of Commercial Hall made by the 9th respondent at the middle of the residential area situated in S.No.151/5A, Thangam Nagar and Thendral Nagar, Somanathamangalam village, Kalaiyarkovil Taluk, Sivagangai District.

For Petitioner : Mr.T.Veerakumar

For Respondents : Mr.J.Ashok,
Addl. Govt. Pleader for R1 to R8
M/s.J.Anandhavalli for R9



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ORDER

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The petitioner has filed this Writ Petition as a Public Interest Litigation challenging the building plan approval granted by the 8th respondent, dated 30.11.2024, whereby permission was given to the 9th respondent to construct a commercial building at S.No.151/5A, Thangam Nagar and Thendral Nagar, Somanathamangalam Village, Kalaiyarkovil Taluk, Sivagangai District.

2. The main ground on which the license is sought to be cancelled is that the 9th respondent proposes to construct a commercial hall in the midst of a residential area where schools and hospitals are located. Apart from this, there are alleged violations of the building plan approval. Hence, the petitioner seeks to quash the license granted to the 9th respondent.

3. The 4th respondent, viz., the District Collector, has filed a status report stating that approval was granted on 30.11.2024 for the construction of a commercial hall to an extent of 1967.43 sq. ft. However, basement pillars have been erected for an area of



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2544.40 sq. ft. Therefore, action has been initiated to stop the illegal construction vide proceedings dated 14.06.2025. Pursuant to the same, a show cause notice has been issued to the 9th respondent.

4. The 9th respondent has also filed a counter affidavit stating that she has constructed the building strictly in accordance with the planning permission, and that if there is any deviation from the approved plan, she will remove such deviation and proceed with construction in accordance with the rules.

5. In view of the above, if there is any deviation in the construction of the building, the 7th respondent, viz., the Block Development Officer, is directed to take action in accordance with law.

6. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

[N.S.K., J.] & [M.J.R., J.]
06.04.2026

Index :Yes/No
NCC :Yes/No
vsm



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