



W.P.(MD)No.14217 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **02.06.2026**

CORAM:

THE HONOURABLE **MR.JUSTICE N.SATHISH KUMAR**

AND

THE HONOURABLE **MR.JUSTICE M.JOTHIRAMAN**

W.P.(MD)No.14217 of 2026
and W.M.P.(MD)No.10640 of 2026

A.Jalaludeen

... Petitioner

Vs.

1. The Commissioner,
Tiruchirappalli City Municipal Corporation,
Tiruchirappalli.

2. The Assistant Commissioner,
Ward Committee Office-5,
Tiruchirappalli City Municipal Corporation,
Tiruchirappalli.

3. The Director,
Local Town Planning Authority,
Kajamalai, Tiruchirappalli.

4. A.S.Amurudeen

...Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari calling for the records pertaining to the Impugned Order passed by the 2nd Respondent through his proceedings in Na.Ka.No.7522/2024/F1/(Vaa.Ku.A-5) dated 25.04.2026 and to quash the same as illegal.



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For Petitioner : Mr.M.Karuppasamy
For Respondents : Mr.Kishor Ram,
for M/s.R.B. Associates for R1 & R2
Mr.B.Saravanan, Senior Counsel
for Mr.M.P.Senthil,
Counsel for State for R3

ORDER

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

Challenging the lock and seal notice dated 25.04.2026 issued by the 2nd respondent, the present Writ Petition has been filed.

2. It is the contention of the petitioner that the petitioner and the 4th respondent are siblings, and their mother had allotted 728 square feet on the second floor and 462 square feet on the first floor, comprised in T.S. No.183/3, New Ward No. E, New Block No. 19, Meenkara Street, Thennur, Trichy, to the petitioner and the 4th respondent. Since a dispute arose between the brothers regarding the construction of a small thatched tin-sheeted room on the third floor, the 4th respondent filed a Writ Petition in W.P.(MD) No. 26634 of 2024, seeking a direction to the authorities to take action against the alleged unauthorised construction made by the petitioner.



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3. This Court, by order dated 06.12.2024, directed the authorities to consider the representation of the 4th respondent after affording an opportunity of hearing to both the petitioner and the 4th respondent. Pursuant to the said order, the impugned notice came to be issued on the ground that the petitioner had failed to produce a stability certificate. According to the petitioner, the premises are being used solely for residential purposes and, unless the lock and seal order is revoked, the petitioner would be left without any alternative accommodation. Hence, the present Writ Petition has been filed.

4. The learned counsel appearing for respondents 1 and 2/Corporation submitted that, although there is a dispute between the parties, the impugned order was passed on the ground that the building was not in a safe condition and that the petitioner had failed to produce a stability certificate. He further submitted that an additional room had been constructed without obtaining the necessary permission.

5. We have heard the submissions made by the learned counsel appearing on either side and perused the materials available on record.



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6. According to the respondents, the petitioner has constructed a room on the third floor without obtaining any permission. Be that as it may, if any additional construction has been made without planning permission, the proper course would be to issue a notice for demolition of the un-authorised portion. Instead of doing so, sealing the entire building, in our view, is not proper. If the Commissioner is of the view that the building is in a dangerous condition and is likely to endanger the lives of its occupants or the public, the same ought to be assessed by qualified engineers. The authorities should have inspected the building with the assistance of structural engineers and arrived at a proper conclusion regarding its structural stability. Only thereafter, a lock and seal order could have been passed. Without undertaking such an exercise, and merely on the basis of the Writ Petition filed by the 4th respondent, the existing building could not have been sealed automatically. Hence, the impugned order is liable to be set aside.

7. Accordingly, the impugned order is set aside. It is open to the Commissioner, viz., the 1st respondent, to inspect the building with the assistance of a structural engineer and thereafter, take appropriate action in accordance with law



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8. With the above direction, this Writ Petition is allowed. There

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

[N.S.K., J.] & [M.J.R., J.]
02.06.2026

vsm

Index : Yes/No

Internet : Yes

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