



W.P(MD)No.16641 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.06.2026

CORAM:

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

W.P(MD)No.16641 of 2026

A.Palanichamy

... Petitioner

VS.

1.The District Collector/The Chairman,
District Monitoring Committee,
Virudhunagar District, Virudhunagar.

2.The Tahsildar,
Sivakasi Taluk Office,
Sivakasi, Virudhunagar District.

3.The Block Development Officer,
Block Development Office,
Vembakkottai Panchayat Union,
Virudhunagar District.

4.The Special Officer/Block Development Officer,
Thayilpatti Village Panchayat,
Vembakkottai Panchayat Union,
Virudhunagar District.

1/7



W.P(MD)No.16641 of 2026

WEB COPY

5.A.Kannuchamy

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 to 4 to forbear the 5th respondent from constructing unauthorized building beyond the property bearing Survey Nos.358/43 and 358/44 by violating the building plan making construction over and above the approved plan and to demolish the excess construction, made in Survey Nos.358/46, 358/47, 358/42 and 358/45 Mankundampatti Village, Thayilpatti Panchayat, Vembakottai Panchayat Union, Sivakasi Taluk, Virudhunagar District by considering the petitioner's representations dated 02.05.2026 and 13.05.2026.

For Petitioner : Mr.A.Saravanan

For Respondents : Mr.C.Jeganathan (R1 to R4)
Counsel for State

: Mr.S.Atham Ali (R5)

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 respondent Nos.1 to 4 to forbear the fifth respondent from



W.P(MD)No.16641 of 2026

WEB COPY

putting up any unauthorized construction beyond the boundaries of the property comprised in Survey Nos.358/43 and 358/44, in violation of the sanctioned building plan, and consequently to take action for demolition of the alleged excess construction put up in Survey Nos.358/46, 358/47, 358/42 and 358/45, situated at Mankundampatti Village, Thayilpatti Panchayat, Vembakottai Panchayat Union, Sivakasi Taluk, Virudhunagar District, by considering the petitioner's representations dated 02.05.2026 and 13.05.2026.

2.The main contention of the petitioner is that the fifth respondent has raised construction in violation of the planning permission granted by the competent authority and has put up construction beyond the approved plan. Therefore, the petitioner seeks a direction to the authorities concerned to remove the alleged unauthorized construction.

3.Heard the learned counsel appearing on either side and perused the materials available on record.

3/7



W.P(MD)No.16641 of 2026

WEB COPY

4.A perusal of the affidavit filed in support of the Writ Petition clearly indicates that serious civil disputes exist between the petitioner and the fifth respondent. It is seen that the fifth respondent had earlier instituted a suit in O.S.No.32 of 2005 on the file of the District Munsif Court, Sivakasi, against the petitioner seeking the relief of permanent injunction.

5.It is further seen that the application submitted by the fifth respondent seeking planning permission in respect of the subject property was initially rejected by the third respondent by order dated 28.08.2025. Aggrieved by the said order, the fifth respondent filed W.P(MD)No.26314 of 2025 on the file of this Court. By order dated 23.09.2025, the learned Single Judge of this Court set aside the rejection order and directed the authorities concerned to consider and grant planning permission in accordance with law. Pursuant thereto, planning permission came to be granted.

6.It is relevant to note that the present petitioner was also impleaded as a party in the aforesaid proceedings. However, the petitioner



W.P(MD)No.16641 of 2026

WEB COPY

has now filed the present Writ Petition alleging deviation from the sanctioned plan in the construction undertaken by the fifth respondent.

7.In view of the above facts and circumstances, we are of the considered opinion that the present Writ Petition has been filed predominantly on account of the existing personal and civil disputes between the parties. It is well settled that every dispute of a civil nature cannot be converted into a writ proceeding. If there is, in fact, any deviation from the sanctioned planning permission, it is always open to the competent authorities to verify the same and proceed in accordance with law.

8.With the above observations, this Writ Petition stands disposed of. No costs.

[N.S.K.,J.] [M.J.R.,J.]
17.06.2026

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



W.P(MD)No.16641 of 2026

WEB COPY

To

1.The District Collector/The Chairman,
District Monitoring Committee,
Virudhunagar District, Virudhunagar.

2.The Tahsildar,
Sivakasi Taluk Office,
Sivakasi, Virudhunagar District.

3.The Block Development Officer,
Block Development Office,
Vembakkottai Panchayat Union,
Virudhunagar District.

4.The Special Officer/Block Development Officer,
Thayilpatti Village Panchayat,
Vembakkottai Panchayat Union,
Virudhunagar District.



WEB COPY



W.P(MD)No.16641 of 2026

N.SATHISH KUMAR, J.
and
M.JOTHIRAMAN, J.

ps

ORDER MADE IN
W.P(MD)No.16641 of 2026

DATED : 17.06.2026