



WP(MD)No.18563 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.01.2026

CORAM :

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
and
THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN**

**WP(MD)No.18563 of 2025
and WMP(MD) Nos.14226 and 14227 of 2025**

1. Karuppaiah @ Thangaraj,
 2. Sundararajaperumal,
 3. Adaikalam
- ... Petitioners

Vs

1. The Block Development Officer, (PU)
Block Development Office,
Madurai East Panchayat Union,
Chinnachokikulam,
Madurai District..
 2. K.A. Suresh,,
S/o. Anathapadmanaba Iyer,
New No.7-14-4, Bharathi Nagar,
Krishnapuram Colony,
Madurai 625 014..
- ... Respondents

PRAYER :- Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorari calling for the records pertaining to the impugned notices issued by the 1st respondent vide his proceeding in Na.Ka.No.1579/2025/Thi dated 23.06.2025 and quash the same.



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For Petitioners : Mr.A.Jayaramachandran

For Respondent : Mr.V.Omprakash for R1
Government Advocate
Mr.M.Sankar for R2

ORDER

(Order of the Court was made by Dr.**G.JAYACHANDRAN, J.**)

The petitioners herein, being aggrieved by the notice issued by the Block Development Officer directing them to remove the the unauthorized construction on or before 09.07.2025, failing which, the construction will be demolished and removed, have come before this Court seeking writ of Certiorari to quash the impugned notice.

2. According to the learned counsel for the petitioners, pursuant to the direction of this Court in WP(MD) No.7942/2025 dated 24.03.2025, there was a meeting held by the first respondent, namely, Block Development Officer, Madurai East Panchayat Union. Suppressing the explanation given by the writ petitioners addressed to the Block Development Officer along with the documents, the impugned notice has been issued as if no documents have been produced by the writ petitioners. According to the learned counsel, the construction, which is sought to be removed, is not an unlawful construction and is only a temporary tin shed in the said place. However, without making



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any proper field inspection, the impugned order has been passed. It is further contended that only if it is a permanent structure, permission is required and when it is a tin shed or thatched shed, no permission is required. It is also submitted that there is a civil suit pending in OS No.12/2025 between the petitioners and the 2nd respondent regarding the land dispute and that is the reason why WP(MD) No.7942/2025 was filed with *mala fide* intention.

3. The 2nd respondent filed a counter with documents, wherein, it is submitted that the property upon which the construction is made measuring 24 cents is the ancestral property of the 2nd respondent and it is devolved upon him through his father. Taking advantage of the tenancy agreement executed by his father in favour of one Adaikalam, who is the father of the writ petitioners, the writ petitioners are squatting over the property as if they are the cultivating tenants and in that property, had unauthorizedly put up a permanent structure naming it as “Perumal Vaniga Valagam” (பெருமாள் வணிக வளாகம்). According to the 2nd respondent, the structure is a permanent structure, without authorisation and in the land owned by the 2nd respondent, is bound to be removed.



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4. The learned Government Advocate has filed a status report stating that in the earlier writ petition WP(MD) No.7942/2025, this Court vide order dated 24.03.2025 passed the following order:

“Considering the limited scope of the prayer sought for by the petitioner, without expressing any opinion on the merits of the claim made by the petitioner either in the representation or in the affidavit filed in support of this writ petition, we direct the respondents 1 to 5 to consider the representation of the petitioner dated 03.03.2025, after sufficient opportunity of personal hearing to the petitioner and the respondents 6 to 8 and pass appropriate orders on merits and in accordance with law within a period of 12 weeks from the date of receipt of a copy of this order.”

5. Pursuant to the said order, after giving opportunities to all the parties concerned, in the meeting held on 09.05.2025, the impugned notice has been issued. It is stated that it is a pukka construction consisting of 9 shops and no building permission or lay out approval was obtained by the petitioner from the competent authority.

6. Considering the contention raised by the learned counsel for the petitioners and the counter filed by the 2nd respondent as well as the status report filed by the learned Government Advocate representing the first



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respondent, this Court finds that the unauthorized construction, which is the subject matter of the impugned notice is bound to be removed in accordance with law. This Court cannot stand in the way of executing the eviction process, which is done in accordance with law and as per the directions of this Court.

7. Accordingly, the writ petition stands dismissed. No costs. Consequently connected Miscellaneous Petitions are closed.

(G.J, J.) (K.K.R.K, J.)
08.01.2026

Index : Yes / No
Neutral Citation : Yes / No

RR

To
1. The Block Development Officer, (PU)
Block Development Office,
Madurai East Panchayat Union,
Chinnachokikulam,
Madurai District..



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and
K.K.RAMAKRISHNAN, J.

RR

Order made in
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DATED : 08.01.2026