



W.P.(MD) Nos.21270 of 2021 & 4853 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.03.2026

CORAM

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

W.P.(MD) Nos.21270 of 2021 & 4853 of 2026

and

W.M.P.(MD) Nos.4077 & 4078 of 2026

W.P.(MD) No.21270 of 2021

P.Poolpandi

... Petitioner

Vs.

1.The District Collector,
Thoothukudi District,
Thoothukudi.

2.The Deputy Director (i/c),
District Town and Country Planning Office,
Thoothukudi District,
Thoothukudi.

3.The Municipal Commissioner,
Kovilpatti Municipal Office,
Kovilpatti, Thoothukudi District.

4.R.Ramesh

... Respondents

[R4 is impleaded vide court order dated 18.09.2025]



W.P.(MD) Nos.21270 of 2021 & 4853 of 2026

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the third respondent herein to demolish the violative portions of M/s.Nivi Plaza which is situated in Survey Number 641/3, Pasuvanthanai Main Road, Kovilpatti Town, based on the Inspection Report in Na.Ka.No.27/2017 /F1 dated 07.07.2017 of the Town Planning Officer, Kovilpatti Municipality and also by considering the petitioner's representation dated 28.06.2021.

For Petitioner : No appearance
For R1 & R2 : Mr.S.P.Maharajan
Special Government Pleader
For R3 : Mr.P.Srinivas
For R4 : Mr.S.Venkata Subramaniam
for Mr.G.Thalaimuthurasu

W.P.(MD) No.4853 of 2026

R.Padmavathi

... Petitioner

Vs.

- 1.The State of Tamil Nadu
Rep. by its Secretary,
Housing and Urban Development Department,
Secretariat, Chennai - 600 009.
- 2.The Additional Secretary (Technical),
Housing and Urban Development Department,
Secretariat, Chennai - 600 009.



W.P.(MD) Nos.21270 of 2021 & 4853 of 2026

3.The Assistant Director,
District Town and Country Planning Office,
Thoothukudi - 628 008.

4.The Commissioner,
Kovilpatti Municipality,
Kovilpatti,
Thoothukudi District - 628 502.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for records of the first respondent in issuance of order in the form of letter dated 12.02.2026 bearing reference Letter No.12650462/ UD4 (L. Re-2) 2025-3 and quash the same as illegal, arbitrary, violative of principles of natural justice and contrary to law and consequently direct the first respondent to consider the stay in Revision filed under Section 80A(3) of the Tamil Nadu Town and Country Planning Act, 1971 afresh uninfluenced by the earlier and any other orders.

For Petitioner : Mr.S.Venkata Subramaniyan
for Mr.G.Thalaimuthurasu

For R1 to R3 : Mr.S.P.Maharajan
Special Government Pleader

For R4 : Mr.P.Srinivas



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W.P.(MD) Nos.21270 of 2021 & 4853 of 2026

COMMON ORDER

[Order of the Court was made by Hon'ble **MR.N.SATHISH KUMAR, J.**]

Though these Writ Petitions have been filed challenging the order dated 12.12.2026 passed by the Secretary to Government, Housing and Urban Development Department, Secretariat, Chennai - 600 009 and seeking a direction to consider the stay petition filed in the Revision under Section 80A(3) of the Tamil Nadu Town and Country Planning Act, 1971, as well as a direction to the Municipal Commissioner, Kovilpatti Municipality, Kovilpatti, Thoothukudi District to demolish the violative portions of M/s.Nivi Plaza situated in Survey No.641/3, Pasuvanthanai Main Road, Kovilpatti Town, based on the Inspection Report in Na.Ka.No.27/2017/F1 dated 07.07.2017 of the Town Planning Officer, Kovilpatti Municipality, during the pendency of these Writ Petitions, it appears that the appeal has now been entertained by the authorities. In the said appeal, the municipal authorities were directed to de-seal the premises for ten days from the date of receipt of the order, i.e., 26.02.2026, so as to enable the parties to remove their belongings from the subject building and to reseal the same upon expiry of the ten-day



W.P.(MD) Nos.21270 of 2021 & 4853 of 2026

period granted. A copy of the proceedings dated 26.02.2026 has been produced before this Court.

2.It is the contention of the learned counsel for the petitioner in W.P.(MD) No.4853 of 2026 that on the last date of hearing, when the matter came up for hearing, this Court directed the petitioner in W.P.(MD) No.4853 of 2026 to file an undertaking affidavit indicating the nature of the tenants and other commercial establishments. Accordingly, an additional/undertaking affidavit has been filed by the petitioner in W.P. (MD) No.4853 of 2026.

3. The only grievance of the petitioner is that since the property has been let out to various persons, at least one month's time is required to comply with the directions and act faithfully in accordance with the undertaking. As the authorities were directed to de-seal the premises for ten days, the petitioner has appeared before this Court seeking appropriate orders.

4. We are of the view that considering the above grievance, a further period of two weeks, in addition to the time already granted, may



W.P.(MD) Nos.21270 of 2021 & 4853 of 2026

be granted to the petitioner to remove the belongings. Accordingly, the authorities are directed to de-seal the premises for a further period of two weeks so as to enable all the tenants and other occupants to remove their belongings from the premises. It is made clear that after the expiry of the total period, i.e., on 23.03.2026, the authorities shall once again re-seal the premises.

5. With the above observations, these Writ Petitions are disposed of. No costs. Consequently, the connected Miscellaneous Petitions are closed.

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

02.03.2026

JEN

Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes / No

Speaking Order / Non-Speaking Order

Copy To:

1.The Secretary,
Housing and Urban Development Department,
Secretariat, Chennai - 600 009.



W.P.(MD) Nos.21270 of 2021 & 4853 of 2026

2.The Additional Secretary (Technical),
Housing and Urban Development Department,
Secretariat, Chennai - 600 009.

3.The District Collector,
Thoothukudi District,
Thoothukudi.

4.The Assistant Director,
District Town and Country Planning Office,
Thoothukudi - 628 008.

5.The Deputy Director (i/c),
District Town and Country Planning Office,
Thoothukudi District,
Thoothukudi.

6.The Commissioner,
Kovilpatti Municipality,
Kovilpatti,
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W.P.(MD) Nos.21270 of 2021 & 4853 of 2026

N.SATHISH KUMAR, J.

AND

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W.P.(MD) Nos.21270 of 2021 & 4853 of 2026

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