



W.P(MD)No.7229 of 2026

WEB CODE BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.03.2026

CORAM:

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

**W.P(MD)No.7229 of 2026
and
W.M.P(MD)No.5926 of 2026**

M.Hameed Ibrahim

... Petitioner

vs.

1.The District Collector,
Office of the District Collector,
Theni District.

2.The Commissioner,
Cumbum Municipality,
Cumbum,
Theni District.

3.The Town Planning Officer,
Cumbum Municipality,
Cumbum,
Theni District.



W.P(MD)No.7229 of 2026

WEB CUM

4.The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffar Sarang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the second respondent in his proceedings in A.Ka.No.08/2025/F1 dated 05.08.2025 and quash the same as illegal and unconstitutional and consequently forbearing the respondents herein from any way taking coercive steps to demolition of buildings constructed in T.S.No.20/5 of an extent of 12 cents (Plot No.15 to 17) situated at Ward No.B, Block No.2 of Chellantiamman Temple Street, Cumbum Municipality, Theni District for running a religious institution without following the due process of law by considering representation of the petitioner dated 21.07.2025.

For Petitioner : Mr.B.Fazil Kirmani

For Respondents : Mr.D.Sasikumar (R1)
Additional Government Pleader



W.P(MD)No.7229 of 2026

WEB COPY

ORDER

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

The petitioner has filed the present Writ Petition seeking to quash the impugned order passed by the second respondent dated 05.08.2025 and, consequently, for a direction restraining the respondents from taking any coercive steps to demolish the buildings constructed in T.S.No.20/5, of an extent of 12 cents (Plot Nos.15 to 17), situated at Ward No.B, Block No.2, Chellantiamman Temple Street, Cumbum Municipality, Theni District, for running a religious institution, without considering the petitioner's representation dated 21.07.2025 and following due process of law.

2.The petitioner contends that the land in S.No.20/5, Cumbum, Theni District, along with other properties in Bharathi Nagar, Cumbum Municipality, Theni District, originally belonged to Mohammed Sheriff. After his demise, his legal heirs, Ahmed Abdul Wasid, Ahamed Syed-Yasin, and Masood, were in possession and constructed a residential building with



W.P(MD)No.7229 of 2026

planning permission from the second respondent. Subsequently, the legal heirs executed a Gift Settlement Deed in favour of the petitioner vide Document No.1133/2018 dated 16.03.2018, and the revenue records were mutated in the petitioner's name.

3.The petitioner further submits that he and other residents decided to construct a religious institution, including a mosque and an Arabic school, on 12 cents in Plot Nos.15 to 17. Necessary building plan approval was obtained from the competent authority under LP/AD/DTCP/(TD) No.SWP/57/2024, and the Arabic school is being operated on the property. Thereafter, the petitioner made representations to the Government of Tamil Nadu and the first respondent seeking permission to run the religious institution, in terms of the Tamil Nadu Combined Building Development and Building Rules, 2019, the Tamil Nadu Town and Country Planning Act, and the Tamil Nadu Urban Local Bodies Act. The District Collector, being the competent authority, received a detailed representation on 21.07.2025, which remains pending.



W.P(MD)No.7229 of 2026

WEB COPY

4.In the meanwhile, the second respondent issued the impugned proceedings vide A.Ka.No.08/2025/FI dated 05.08.2025, directing the petitioner to remove the alleged unauthorized constructions, failing which the entire building would be locked and sealed. The petitioner contends that the impugned proceedings are illegal, arbitrary, and without jurisdiction, and has therefore approached this Court under Article 226 of the Constitution of India.

5.Heard the learned counsel appearing on either side.

6.On perusal of the materials on record, we find that the petitioner has failed to establish any legal infirmity in the impugned proceedings. The second respondent has acted in accordance with law in issuing the directions regarding unauthorized constructions.



W.P(MD)No.7229 of 2026

WEB COPY

7.In view of the above, we do not find any merit in the Writ Petition. Accordingly, the Writ Petition is dismissed. However, the petitioner is at liberty to seek appropriate remedy before the Government or the competent authority. No costs. Consequently, connected Miscellaneous Petition is closed.

[N.S.K.,J.] [M.J.R.,J.]
17.03.2026

NCC : Yes / No
Index : Yes / No
ps



W.P(MD)No.7229 of 2026

WEB COPY

To

1.The District Collector,
Office of the District Collector,
Theni District.

2.The Commissioner,
Cumbum Municipality,
Cumbum,
Theni District.

3.The Town Planning Officer,
Cumbum Municipality,
Cumbum,
Theni District.

4.The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffar Sarang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.



WEB COPY



W.P(MD)No.7229 of 2026

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

ps

ORDER MADE IN
W.P(MD)No.7229 of 2026

DATED : 17.03.2026