

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.06.2026

CORAM :

**THE HONOURABLE MR.JUSTICE C.V. KARTHIKEYAN**  
**and**  
**THE HONOURABLE MR.JUSTICE R.SAKTHIVEL**

W.P(MD)No.6213 of 2019

S.MP Amalan

... Petitioner

*(Petitioner is substituted vide order dated 05.03.2025)*

Vs.

- 1.The Secretary To Government,  
of Tamil Nadu,  
Housing And Urban Development Department,  
Secretariat, Chennai - 600 009.
- 2.The Secretary To Government,  
of Tamil Nadu,  
Rural Development And Panchayat Raj Department,  
Secretariat, Chennai - 600 009.
- 3.The Secretary To Government,  
of Tamil Nadu,  
Municipal Administration And Water Supply Department,  
Secretariat, Chennai - 600 009.
- 4.The Director,  
Directorate Of Town And Country Planning,  
Opposite To LIC, Segalvarayan Building 4th Floor,  
807 Anna Salai, Chennai - 600 009.
5. The Director,  
Directorate Of Town Panchayat,  
Kuralagam, Chennai-600 018.



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6. The Commissioner,  
Commissioner Of Municipal Administration,  
Chepauk, Ezhilagam, Chennai-600 005.

7. The Managing Director,  
Chennai Metropolitan Development Authority,  
No.1, Gandhi Irwin Road,  
Thalaimuthu Natarajan House,  
Egmore, Chennai - 600 008.

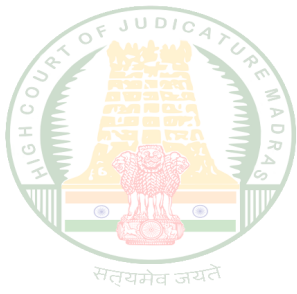
8. The Commissioner,  
Madurai Municipal Corporation,  
Arignar Anna Maligai,  
Madurai-625 020.

9. The Member Secretary,  
Local Planning Authority,  
Corporation Office Campus,  
Anna Maligai,  
Madurai - 625 002.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 to 8 to take appropriate action against the erring officials who issued work completion certificates and allowed illegal constructions constructed in violation of the approved plans for the preceding 10 years and direct the respondents 1 to 8 to issue suitable directions to all subordinates working under them to monitor the constructions before issuing work completion certificate and perform their duties as per the Act and Rules.

For Petitioner : Mr.S.M.Anantha Murugan  
For Respondents : Mr.M.P.Senthil (R1 to R7)  
Counsel for the State  
Ms.S.Devasena (R8)  
Standing Counsel  
No Appearance (R9)



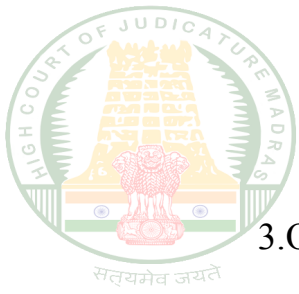
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## **ORDER**

(Order of the Court was made by **C.V. KARTHIKEYAN, J.**)

The writ petition had been filed in the nature of mandamus seeking direction against the respondent to take action against the officials, who issued work completion certificates and permitted illegal constructions constructed in violation of approved plans and for a direction to issue suitable directions to monitor the constructions before issuing work completion certificates.

2.The writ petitioner is aggrieved by numerous construction of buildings in violation of either approved building plans or being constructed in accordance with the whims and fancies of constructors. He had stated that the officials, who are responsible to ensure that the buildings are constructed in accordance with the plan, are guilty of dereliction of duty and therefore sought regulations to be put in place. The matter had been listed before the coordinate Benches of this Court and directions have been issued for production of details of action taken against the officials, who were not diligent in discharge of their duties.



3. On 16.07.2021, the following directions had been issued by this Court:

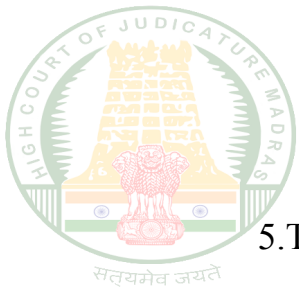
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*“Along with the counter affidavit, the Commissioner, Madurai Corporation shall also file a separate affidavit, giving the names of those who have been functioned as Assistant Engineers and Assistant Executive Engineers, Town Planning, in the Corporation of Madurai from 01.01.2010 till date, along the tenure during which, they held the posts, whether such officers attained the age of superannuation, whether they are promoted and if they are presently serving, the posts in which they are serving. The information shall include such officers, who held the post as in charge. If any other information relating to the authorities are to be furnished, the Corporation officials shall have no hesitancy in furnishing such information as well. The counter affidavit and the affidavit shall be filed along with supporting documents.*

....

*5. Though that may be the position, the respondent Corporation is bound to ensure the construction, which is being put up, should be in accordance with the building plan and before assessing the property for tax it should be ensured that the building is in accordance with the approved building plan. Therefore, even prior to 16.04.2018, there is a duty cast upon the local authorities to strictly enforce the planning laws.”*

4. Similar directions have been issued from time to time calling for the details about the notices issued consequent upon construction of buildings in violation of Rules and action taken against the corporation officials and lock and seal orders issued.

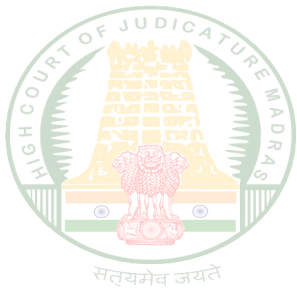


5.Today, when the matter had been taken up, the learned Standing Counsel for the eighth respondent, Commissioner of Madurai Municipal Corporation had forwarded copies of notices issued by the eighth respondent under Form I, II, III and IV under the Tamil Nadu Town and Country Planning for Removal of Unauthorized Development Rules, 2022.

6.Perusal shows that about 90 notices have been issued to individuals, who had constructed the buildings without obtaining planning permission in deviation of the permission granted.

7.The learned Standing Counsel for the Commissioner, Madurai Corporation forwarded the explanations given by the Corporation Officials. Perusal of the records shows that 94 officials have been issued with show cause notice and have given explanation for the same. We direct further steps to be taken on such explanation, if not satisfactory, to initiate appropriate proceedings.

8.Lock and seal notices under Form-VII had also been issued. Copies thereof are also filed. Perusal shows that three such orders have been issued by the eighth respondent.



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9. The copies of documents filed in Court have already been forwarded to the learned Counsel for the petitioner.

10. Since steps have been taken, recording the said facts, this writ petition stands closed. There shall be no order as to costs.

[C.V.K, J.]

[R.S.V, J.]

30.06.2026

Index : Yes  
Neutral Citation : Yes  
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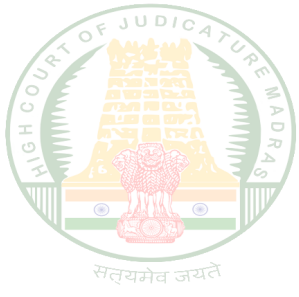
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