



W.P(MD)No.13443 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.04.2026

CORAM:

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

W.P(MD)No.13443 of 2026

M.Durairajan

... Petitioner

VS.

1.The Commissioner,
Thanjavur City Municipal Corporation,
Thanjavur - 613 001.

2.Pugazhenth

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the first respondent to take immediate action pursuant to the notice dated 24.09.2025 in Notice No. 01/2025/JEIII/MCF4 under Section 56 of the Tamil Nadu Town and Country Planning Act, 1971, against the unauthorized construction in Plot No.179, 10th cross, Arulananthammal Nagar, Thanjavur, within a time frame fixed by this Court in light of the representation dated 16.03.2026.



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For Petitioner : Mr.K.Pragadeesh Kumar

For Respondents : Mr.N.Dilip Kumar (R1)
Standing Counsel

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 first respondent to take immediate action pursuant to the notice dated 24.09.2025 issued under Section 56 of the Tamil Nadu Town and Country Planning Act, 1971, in respect of the unauthorized construction in Plot No.179, 10th Cross, Arulananthammal Nagar, Thanjavur, within a time frame to be fixed by this Court, in light of the petitioner's representation dated 16.03.2026.

2.By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.



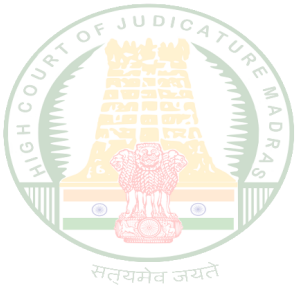
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3.Mr.N.Dilip Kumar, learned Standing Counsel, accepts notice for the first respondent. Considering the limited relief sought for by the petitioner, notice to the second respondent is dispensed with.

4.It is the contention of the petitioner that the second respondent has put up construction in deviation of the approved building plan, in violation of the provisions of the Tamil Nadu Town and Country Planning Act, 1971. Though the first respondent had issued a notice as early as 10.08.2011 pointing out such deviations, no effective action was taken. The petitioner was, therefore, constrained to file a civil suit in O.S. No. 276 of 2011, which was initially decreed in his favour directing demolition of the unauthorized construction. However, the same was set aside in appeal in A.S. No. 24 of 2024, with liberty to approach the competent authority.

5.Pursuant thereto, the Corporation inspected the property and, by proceedings dated 24.09.2025, found clear violations and issued notice under Section 56 of the Act directing rectification, failing which further



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action, including demolition and sealing, was contemplated. Despite the lapse of the statutory period, no further action has been taken by the authorities. The petitioner's subsequent representation dated 16.03.2026 also remains unconsidered.

6. According to the petitioner, the unauthorized construction has caused serious prejudice by obstructing light and ventilation to his adjacent property and poses a threat to safety due to structural deviations. Alleging arbitrary inaction on the part of the authorities, the petitioner has filed the present writ petition.

7. The learned Standing Counsel appearing for the first respondent, on instructions, submitted that there are certain deviations even in the petitioner's building. It is further submitted that the first respondent would conduct a detailed inspection of both the petitioner's and the second respondent's buildings, in accordance with law, and take appropriate action, if any violations are found.



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8.In view of the above submission, we direct the first respondent to conduct a comprehensive inspection of the buildings belonging to the petitioner as well as the second respondent and, if any deviations or unauthorized constructions are found, to take appropriate action in accordance with law, after issuing notice to the concerned parties and affording them an opportunity of hearing. Such exercise shall be completed within a period of four months from the date of receipt of a copy of this order.

9.With the above directions, this writ petition is disposed of.

There shall be no order as to costs.

[N.S.K.,J.] [M.J.R.,J.]
29.04.2026

NCC : Yes / No
Index : Yes / No
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To
The Commissioner,
Thanjavur City Municipal Corporation,
Thanjavur - 613 001.

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