



W.P(MD)No.13488 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
WEB COPY

DATED : 26.06.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

**W.P(MD)No.13488 of 2025
and
W.M.P(MD)Nos.9713, 9716 & 9717 of 2025**

S.Subramanian

... Petitioner

vs.

1.The State of Tamil Nadu,
Represented by Housing and Urban Development Department,
St. George Fort,
Chennai – 600 009.

2.The Director,
Directorate of Town & Country Planning,
2nd, 3rd and 4th Floor,
C & E Market Road,
Koyambedu,
Chennai – 600 107.

3.The Deputy Director,
Town and Country Planning,
Sivagangai Zone,
Sivagangai.

4.The District Collector,
Sivagangai District,
Sivagangai.



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5.The Revenue Divisional Officer,
Sivagangai, Sivagangai District.

6.The Tahsildar,
Kalaiyarkoil Taluk,
Sivagangai District.

7.The Block Development Officer,
Kalaiyarkoil Union,
Sivagangai District.

8.The Executive Officer/Village Panchayat President,
Kalaiyarkoil Village Panchayat,
Kalaiyarkoil Block Panchayat,
Sivagangai District.

9.S.Mala Rani

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the 8th respondent made in ROC No.08-2024-2025, dated 30.11.2024 and quash the same as illegal and consequently directing the respondents 1 to 8 to remove the illegal construction of Commercial Hall made by the 9th respondent at the middle of the residential area situated in S.No.151/5A, Thangam Nagar and Thendral Nagar, Somanathamangalam Village, Kalaiyarkovil Taluk, Sivagangai District pending disposal of the present Writ Petition.



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For Petitioner : Mr.T.Veerakumar
For RR 1 to 8 : Mr.P.Thilak Kumar
Government Pleader
For R - 9 : Mrs.J.Anandhavalli

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM, J.)

The status report filed by the fourth respondent/the District Collector, dated Nil, June, 2025 is bereft of details regarding the violation of Rule 17 of the Tamil Nadu Combined Development and Building Rules, 2019.

2.The authorities should verify whether the subject location is designated for primary residential use or mixed residential use or as a commercial area. The classification, in accordance with the Master Plan, Development Plan and classifications made under the Tamil Nadu Combined Development and Building Rules, 2019 are to be clearly stated with reference to the allegations set out by the petitioner in his counter-affidavit.

3.In view of the above, the authorities are directed to file clear status report with all these particulars on the next hearing date.



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4.Interim order already granted is continued until further orders.

5.Post the matter on **03.07.2025**.

sd/-
26/06/2025

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/06/2025
Sub-Assistant Registrar
(C.S.I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PS
TO

1 THE STATE OF TAMIL NADU REP.
BY, HOUSING AND URBAN DEVELOPMENT DEPARTMENT,
ST.GEORGE FORT,
CHENNAI - 600 009.

2 THE DIRECTOR,
DIRECTORATE OF TOWN AND COUNTRY PLANNING,
2ND, 3RD AND 4TH FLOOR,
C AND E MARKET ROAD,
KOYAMBEDU,
CHENNAI - 600 107.

3 THE DEPUTY DIRECTOR
TOWN AND COUNTRY PLANNING,
SIVAGANGAI ZONE,
SIVAGANGAI.



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4 THE DISTRICT COLLECTOR
SIVAGANGAI DISTRICT,
SIVAGANGAI.

5 THE REVENUE DIVISIONAL OFFICER,
SIVAGANGAI,
SIVAGANGAI DISTRICT.

6 THE TAHSILDAR
KALAIYARKOVIL TALUK,
SIVAGANGAI DISTRICT.

7 THE BLOCK DEVELOPMENT OFFICER
KALAIYARKOVIL UNION,
SIVAGANGAI DISTRICT.

8 THE EXECUTIVE OFFICER/
VILLAGE PANCHAYAT PRESIDENT, KALAIYARKOVIL
VILLAGE PANCHAYAT,
KALAIYARKOVIL BLOCK PANCHAYAT,
SIVAGANGAI DISTRICT.

+1. C.C. to J.ANANDHAVALLI Advocate SR.No.6900 (I) DT.30/06/2025

ORDER
IN

WP(MD) No.13488 of 2025

Date :26/06/2025

NM/02.07.2025/ 5P/10C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023