



W.P.No.25353 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 09.07.2026

CORAM

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

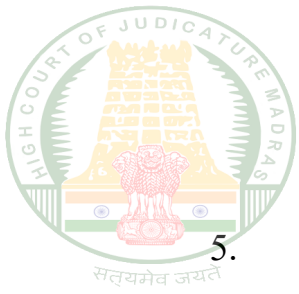
**W.P.No.25353 of 2026**  
**and**  
**W.M.P.Nos.27638 & 27642 of 2026**

Velusamy  
S/o.Palanisamy

... Petitioner

VS.

1. The District Collector  
O/o. District Collector  
Palladam road  
Tiruppur – 641 604.
2. The Assistant Director  
District Town and Country Planning Office  
1<sup>st</sup> Floor, Kumaran Commercial Complex  
Tiruppur – 641 601.
3. The Block Development Officer  
O/o. Block Development  
Sevoor Road, Avinashi  
Tiruppur District.
4. The Secretary  
Palangarai Panchayat Union  
Avinashi, Tiruppur District.



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5. T.Tamilselvi  
W/o.S.K.Thangaraj

6. Sandhiya  
W/o.Senthil Prabhu

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Certiorari, to call for the records in relation to layout approval dated 17.11.2025 in SWP / DTCP / Tiruppur / Layout No 196/ 2025 in survey No 395/2A2 and 395/ 2B1B situated at Palangarai Village, Avinashi Taluk and Tiruppur District granted by the 2nd respondent in favour of the 5th and 6th respondents and quash the same

For Petitioner : Mr.P.Tamilavel  
For Respondents : Mr.M.Sivavarthanan  
Government Counsel, for R1 to R4

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### **ORDER**

Since this writ petition is being disposed of without affecting the rights and interests of respondents 5 and 6, notice to them is dispensed with.

2. The petitioner challenges the order dated 17.11.2025 passed by the second respondent, whereby approval has been granted to respondents 5 and 6 for formation of a residential layout in Survey Nos.395/2A2 and 395/2B1B situated at Palangarai Village, Avinashi Taluk, Tiruppur District.



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3. According to the petitioner, he was induced to execute a sale deed in favour of the fifth respondent on the representation that development of the property would fetch higher returns. The petitioner further contends that the sale deed was executed without receipt of any sale consideration. It is stated that the fifth respondent thereafter entered into an agreement with the sixth respondent for alienation and development of the property, pursuant to which the sixth respondent obtained the impugned approval and formed a residential layout.

4. It is not in dispute that the petitioner has already instituted O.S.No.678 of 2024 before the District Court, Tiruppur, seeking cancellation of the sale deed. The said suit is pending adjudication. It is also not in dispute that no interim order restraining respondents 5 and 6 from dealing with the property or proceeding with the development is in force. The dispute between the parties essentially relates to title and the validity of the sale deed. These are disputed questions of fact, which cannot be adjudicated in proceedings under Article 226 of the Constitution of India, particularly when a civil suit on the very same issue is pending.



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5. In view of the above, the writ petition is disposed of, leaving it open to the petitioner to work out all his rights and remedies in the pending suit. It is made clear that the approval granted by the second respondent shall abide by and remain subject to the final outcome of O.S.No.678 of 2024.

6. Consequently, the connected miscellaneous petitions are closed.

There shall be no order as to costs.

09.07.2026

Speaking / Non-speaking order

Neutral Citation : Yes / No

Index : Yes / No

*mk*

*To*

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**HEMANT CHANDANGOUDAR, J.,**

*mk*

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