



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-07-2026

CORAM

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THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

**WP No. 32122, 38824 and 39575 of 2025,
WMP Nos. 36021, 43443, 43445, 44453, 44526 of 2025,
and
WMP Nos.28662 & 28663 of 2026,**

WP Nos.32122 and 38824 of 2025

N.Udayakumar

..Petitioner(s)

Vs

1. The Director Of Town And Planning
Department
E And C Market Road,
Koyambedu,
Chennai 600 107.
2. The Commissioner
Hosur City Municipal Corporation,
Bangalore Road,
Opp. To Thillai Nagar,
Hosur 635 109,
Krishnagiri District.
3. The Member Secretary
Hosur New Town Development Authority,
Hosur Town And Taluk,
Krishnagiri District
4. The Block Development Officer
Shoolagiri Panchayat Union,
Krishnagiri District
5. The President,
Perandappalli Village Panchayat,
Shoolagiri Panchayat Union,
Shoolagiri Taluk, Krishnagiri District.



6. G.R. Ananda Babu
7. A.Harish
8. P.Usha
9. K.Prabhu

..Respondent(s)

WP No. 39575 of 2025

Venkatesappa

..Petitioner(s)

Vs

1. The Commissioner
Hosur City Municipal Corporation,
Bangalore Road, Opposite To Thillai Nagar,
Hosur-635 109. Krishnagiri District
2. The Member Secretary
Hosur New Town Development Authority,
Hosur Town And Taluk Krishnagiri District
3. The Block Development Officer
Shoolagiri Panchayat Union,
Krishnagiri District
4. The President
Perandappalli Village Panchayat, Shoolagiri
Panchayat Union, Shoolagiri Taluk,
Krishnagiri District
5. The Director Of Town And Planning
Department, E And C, Market Road,
Koyambedu Chennai 107
6. G.R.Anand Babu
7. A.Harish
8. P.Usha
9. K.Prabhu

..Respondent(s)



WP No. 32122 of 2025 Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorari to call for the records relating to the Impugned order of the 2nd respondent dated 21.05.2025 in Na.Ka.No.7724-2022-F1 and to quash the same.

WP No. 38824 of 2025 Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorari to call for the records relating to the Impugned order of the 1st respondent dated 13.05.2025 in Na.Ka.No.24504/ 2021/TCP-7 and the consequential impugned order passed by the 3rd respondent dated 14.05.2025 made in Na.Ka.No.5790/2021/Ki.Ma (Hosur New Town Development Authority), and to quash the same.

WP No. 39575 of 2025 Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus calling for records pertaining to impugned order passed by the 1st respondent dated 21.05.2025 in Na.Ka.No .7724-2022-F1 and quash the same and restraining the respondents 6 to 9 from creating encumbrances or alienating the properties falling in Survey Numbers 339/1 and 340/2 situated at Avallapalli Village, Hosur Town Krishnagiri District till the disposal of O.S.No. 383 of 2024 pending on the file of principal District Judge at Krishnagiri and other connect suit mentioned herein.

WP Nos. 32122 & 38824 of 2025

For Petitioner(s): Mr.U.Baranidharan for
Mr.C.Prabakaran

For Respondent(s): Mr.P.Siddarth, Govt. Advocate
for RR1, 3, 4 and 5

Mr.T.Balaji Standing Counsel for R2

Mr.R.Sagadevan for R6



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WP No.39575 of 2025

For Petitioner(s):

Mr.T.Sriram, Senior Counsel for
M/s.A.S.Kailasam and Associates
Mr.C.Prabakaran

For Respondent(s):

Mr.T.Balaji Standing Counsel for R1

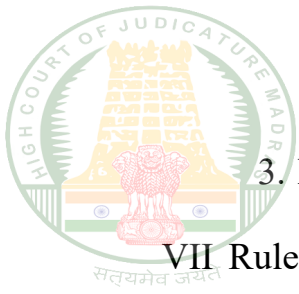
Mr.P.Siddarth, Govt. Advocate
for RR2 to 5

Mr.R.Sagadevan for R6

COMMON ORDER

In all these writ petitions, the petitioners have challenged the orders passed by the respondent-authorities granting approval in favour of the private respondents for formation of a residential layout in S.Nos.339/1, 340/2 and 345/2, situated at Avallapalli Village, Hosur Town, Krishnagiri District, measuring about 8.06 acres.

2. The petitioners claim rights over the properties in question. The petitioner in W.P.Nos.32122 and 38824 of 2025 has filed O.S.No.66 of 2022 seeking declaration and permanent injunction. The petitioner in W.P.No.39575 of 2025 has filed O.S.No.383 of 2024 seeking a declaration that the sale deeds executed in favour of the private respondents are null and void, along with consequential relief of injunction. The petitioner in W.P.Nos.32122 and 38824 of 2025 has also filed O.S.No.405 of 2024 seeking partition and separate possession of his legitimate share.

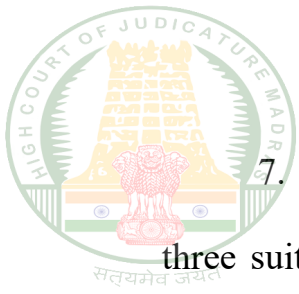


3. In O.S.No.66 of 2022, the defendants filed an application under Order VII Rule 11 of the CPC for rejection of the plaint. The said application was rejected by order dated 20.09.2023. The matter was carried in appeal, and this Court granted an interim order restraining the defendants from interfering with or alienating the suit property pending consideration of the appeal.

4. Subsequently, based on the legal opinion furnished by the learned Additional Advocate General, the impugned approval was granted in respect of 8.06 acres, which was not covered by the order of injunction. Approval in respect of the remaining survey numbers covered by the injunction was rejected. The approval was also made subject to the outcome of the pending suits.

5. The appeal was thereafter allowed and the matter was remitted to the Trial Court with a direction to conclude the trial within a period of six months. The private respondents have challenged the said order before the Hon'ble Supreme Court by filing an SLP. Notice has been ordered therein and the SLP is stated to be pending consideration.

6. In this background, learned counsel for the petitioners submits that the approval granted in favour of the private respondents, during the pendency of the civil suits, is likely to prejudice the rights of the petitioners. It is contended that the private respondents may, on the strength of the approval, create third-party rights over the properties. Therefore, according to the petitioners, the authorities ought to have afforded them an opportunity of hearing before granting the approval.

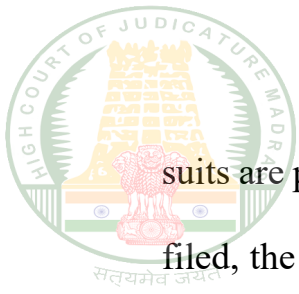


7. Admittedly, there is no subsisting order of injunction in any of the three suits restraining the private respondents from dealing with the lands for which approval has now been granted. The earlier order of restraint related to the lands in respect of which approval was not granted.

8. The respective rights of the parties over the lands in question are yet to be decided by the competent Civil Court. Mere pendency of the civil suits does not prevent the statutory authorities from granting layout approval, unless there is an order of injunction restraining the private respondents or a statutory prohibition against granting such approval. The approval has been granted on the basis of the title deeds and pattas standing in the names of the private respondents. The official respondents cannot conduct a roving enquiry into the rival claims of the parties or adjudicate upon disputed questions of title. Such disputes can be adjudicated only by the competent Civil Court in the pending suits.

9. The apprehension of the petitioners is that the private respondents may create third-party rights on the strength of the layout approval. If so, it is open to the petitioners to approach the jurisdictional Civil Court, where the suits are pending, and seek appropriate interim relief against the private respondents. In the absence of any statutory bar or subsisting order of injunction, the approval granted by the respondent-authorities cannot be said to suffer from any illegality or infirmity.

10. Accordingly, these writ petitions are dismissed, reserving liberty to the petitioners to approach the jurisdictional Civil Court, where the respective



suits are pending, and seek appropriate interim relief. If any such applications are filed, the Trial Court shall consider and dispose of the same, in accordance with law, as expeditiously as possible.

11. It is made clear that the layout approval granted in favour of the private respondents shall be subject to the outcome of the pending civil suits. Consequently, all the connected miscellaneous petitions are closed. There shall be no order as to costs.

21-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
ssk

To

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Hosur City Municipal Corporation,
Bangalore Road, Opp. To Thillai Nagar,
Hosur 635 109, Krishnagiri District.
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Shoolagiri Taluk, Krishnagiri District.



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HEMANT CHANDANGOUDAR J.

ssk

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