



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED: 17.08.2017

CORAM:

**THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN**  
and

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**W.P. (MD) No.21834 of 2015**

and

**W.M.P. (MD) .No.3429 of 2017**

Logambal

: Petitioner

Vs.

- 1.The Government of Tamil Nadu,  
Represented by its Principal Secretary,  
Rural Development and Panchayat Raj Department,  
Fort St. George,  
Chennai-600 009.
- 2.The Director of Town and Country Planning  
Opposite to LIC,  
Chengalvarayan Building, Fourth Floor,  
No.807, Anna Salai,  
Chennai-600 002.
- 3.The Deputy Director of Town and Country Planning,  
Williams Road, Cantonment,  
Trichy-620 001.
- 4.The District Collector,  
Trichy District, Trichy.
- 5.The Revenue Divisional Officer,  
Srirangam,  
Trichy District.
- 6.The Block Development Officer,  
(Village Panchayats),  
Manikandam Panchayat Union,  
Manikandam, Trichy District.
- 7.The Tahsildar,  
Srirangam Taluk,  
Trichy District.
- 8.Thangaraj
- 9.A.Rengammal (Died)
- 10.Arumugam
- 11.Thangadurai
- 12.Ravi Murugaiah



13.U.Nagarajan : Respondents  
(Respondent 10 and 11 are recorded as  
legal heirs of Respondent 9 vide Court  
Order dated 17.08.2017 in W.M.P.(MD).No.3428 of 2017)

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the sixth respondent in Na.Ka.A3/4373/2015, dated 15.09.2015 and the order passed by the fifth respondent in Na.Ka.A4/1502/2013, dated 21.09.2015, quash the same and direct the respondents one to seven to direct the respondents eight to thirteen to remove the encroachment made by them in 17<sup>th</sup> and 18<sup>th</sup> Cross Roads of Vasan Nagar South Extension in S.Nos.80/2, 80/3 and 80/4 abutting the petitioner's lands in S.Nos.80/6 and 84/1A of Nachikurichi Village, Srirangam Taluk, Trichy District.

|                        |                                             |
|------------------------|---------------------------------------------|
| For Petitioner         | : Mr.M.Saravanan                            |
| For R.1 to R.5 and R.7 | : Mr.Govindan<br>Special Government Pleader |
| For R.9 to R.13        | : No Appearance                             |

#### O R D E R

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[Order of the Court was made by **G.R.SWAMINATHAN, J.**]

The writ petitioner is in occupation of the land comprised in Survey Nos.80/6, 84/1A, 84/1B and 84/1C measuring 1.72 acres. To reach the land from the main road, there is a customary pathway running through the Survey Nos.80/2, 80/3 and 80/4 in the same village. The private respondents herein have promoted the layout in the Survey Nos.80/2, 80/3 and 80/4 and named it as Vasan Nagar South Extension.

2.Even though, the planning norms mandate that while forming a lay out, all the roads must end in the neighbouring lands so as to ensure continued access, the promoters in this case have chosen to put up a wall in Survey Nos.80/6, 84/1A in Nachikurichi Village, Srirangam Taluk, Trichy District. This wall has blocked the petitioner's access completely.

3.The allegation of the writ petitioner is that such a wall has been illegally put up and there is no planning approval for the same. It appears that even the lay out was not promoted after getting appropriate permission from the competent authorities.

4.None appears for the private respondents. Since the action of the private respondents in putting up a compound wall is opposed to the very concept of planned development, this Court directs the respondents particularly the respondents 6 and 7 to demolish the wall in question within a period of two months from



the date of receipt of a copy of this order, since it is a part of an unauthorised layout.

5.The writ petition is allowed as indicated above. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

1.The Principal Secretary, Government of Tamil Nadu,  
Rural Development and Panchayat Raj Department,  
Fort St. George, Chennai-600 009.

2.The Director of Town and Country Planning  
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3.The Deputy Director of Town and Country Planning,  
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4.The District Collector, Trichy District, Trichy.

5.The Revenue Divisional Officer, Srirangam, Trichy District.

6.The Block Development Officer, (Village Panchayats),  
Manikandam Panchayat Union, Manikandam, Trichy District.

7.The Tahsildar, Srirangam Taluk, Trichy District.

+1cc to M/S.R.SUBRAMANIAN, Advocate SR.No.73008

+1cc to Special Government Pleader, SR.No.73249

tsg

MAS/SV-MMS/SAR1:21.09.2017:3P-10C

Order made in  
**W.P. (MD) No.21834 of 2015**  
and  
**W.M.P. (MD) .No.3429 of 2017**  
dated: 17.08.2017 (2/2)