



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.12.2021

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI,  
ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

W.P.No.25428 of 2021

G.R.Adalarasan

..Petitioner

Vs.

1. The Director  
The Directorate of Town and Country Planning  
No.807, Anna Salai, Chennai.
2. The Tamil Nadu Real Estate Regulatory Authority  
The Office of the Tamil Nadu Real Estate  
Regulatory Authority  
No.1, Gandhi Irwin Road  
Egmore, Chennai 600 008.
3. The District Collector  
The Office of the District Collector  
Cuddalore 637 001.
4. The Inspector General of Registration  
The Office of the Inspector General of Registration  
No.100, Santhome High Road  
Chennai, Tamil Nadu 600 028.
5. The Tahsildar  
The Office of Tahsildar  
Panruti, Cuddalore District.
6. The Sub Registrar  
The Office of the Sub Registrar  
Kadampuliyur, Cuddalore District.
7. The President  
Kadampuliyur Panchayat Union  
Kadampuliyur, Cuddalore District.
8. M/s. Chemplast Sanmar Ltd.  
Rep. by its Authorised Signatory S.Suresh  
No.9, Cathedral Road, Chennai 600 086.



9. R.K. Nivi Dhaya Real Estates LLP  
Rep. by its Authorised Signatory  
R.Krishnamoorthi  
No.69, Karumathampalayam  
Uthukuli Main Road, Tirupur.

..Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for a writ of Mandamus directing the respondents 1 to 7 herein to classify the lands as waste lands and take appropriate action to stop the eighth and ninth respondents from registering the lands in their custody for real estate business and seeking necessary action on the basis of the representation dated 20.09.2021 within the time to be stipulated by this Court.

For the Petitioner : Mr.S.Shankar

For the Respondents : Mr.P.Muthukumar  
State Government Pleader  
for respondents 1 to 7

#### ORDER

(Order of the Court was made by  
the Hon'ble Acting Chief Justice)

The writ petition has been filed apprehending use of the land by the ninth respondent for the purpose other than for which it was classified. The apprehension of the petitioner is based on the transaction between the eighth and ninth respondents regarding the sale of the land.

2. Learned Government Pleader submits that no permission has been sought by the ninth respondent for raising construction or for the use of the land for the purpose other than for which it is classified. Therefore, he submits that the petition is premature at this stage and that the official respondents would not permit use of the land for any purpose other than for which it has been classified and in future, if any action is taken contrary to law, the petitioner or any other person may approach the concerned authorities.

3. Taking into consideration the statement made by learned Government Pleader that the ninth respondent had not made any application seeking approval of the plan for raising construction and the fact that the petition has been filed only based on apprehension, we dispose of this writ petition holding it to be premature. However, we make it clear that in future, if any application is made by the ninth respondent, the official respondents would be under an obligation to take action strictly in accordance with the provisions of law and keeping in mind the nature of the land. It would always be open to the petitioner or



any other person to take appropriate steps if the action of the official respondents is found to be in contravention of the provisions of law.

4. W.P.No.25428 of 2021 is disposed of. There will be no order as to costs.

Sd/-  
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

kpl

To:

1. The Director  
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No.807, Anna Salai, Chennai.
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Kadampuliyur Panchayat Union  
Kadampuliyur, Cuddalore District.

+1cc to the Government Pleader, S.R.No.63531

W.P.No.25428 of 2021

GPL(CO)  
RGA(10/12/2021)