



W.P.No.15592 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.08.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.15592 of 2013  
and M.P.Nos.1 of 2013

A.S.Babu

... Petitioner

Vs.

1. The District Collector,  
Vellore District,  
Vellore – 9.
2. The Tahsildar,  
Arcot Taluk,  
Arcot,  
Vellore District.
3. The Executive Officer,  
Selection Grade Town Panchayat,  
Timiri,  
Vellore District.
4. The Deputy Director,  
Town and Country Planning Department,  
Vellore-Dharmapuri Zone,  
Dharmapuri.
5. T.S.Rashakrishnan  
48, Kottai kumaraswamy Naicker Street,  
Timiri Village, Arcot Taluk,  
Vellore District.  
(R5 impleaded as per order dated



W.P.No.15592 of 2013

22.10.2019 made in W.M.P.No.30555  
of 2018 in W.P.No.15592 of 2013

... Respondents

WEB COPY

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the entire records in pursuant to the letters issued by the third respondent vide Na.Ka.No.110/2013 dated 12.04.2013 and vide Na.Ka.No.110/2013/Aa2 dated 13.05.2013 and quash both of them.

For Petitioner : Mr.T.P.Prabhakaran

For Respondents

For R1, R2 & R4 : Mr.P.Gurunathan

Additional Government Pleader

For R3 : Mr.B.Anand

Standing Counsel

### **ORDER**

This writ petition has been filed challenging the order passed by the third respondent dated 12.04.2013 & 13.05.2013, thereby directed the petitioner to hand over the vacant possession of the subject property.

2. The petitioner had purchased the land comprised in survey No.420/2A2 ad measuring 2376 sq.ft., situated at Timiri Village by the registered sale deed dated 13.01.2011 from one S.Udayakumar as power holder of Padmavathi Radhakrishnan, T.P.Duraikannu, vide document No.167 of 2011. The petitioner also purchased a plot ad measuring 2655



*W.P.No.15592 of 2013*

sq.ft., vide document No. 166 of 2011. Subsequently, another extend of 465 sq.ft., was also purchased in Suvey No.420/2A2 by the registered sale deed dated 21.11.2012 vide document No.8747 of 2012. Further, the petitioner also purchased another land comprised in survey Nos.420/2A1 and 420/2A2, to an extedn to 1488 sq.ft., vide registered sale deed dated 21.11.2012 document No.8748 of 2012. Totally, he had purchased the land ad measuring 6975 sq.ft.

3. While being so, the petitioner had applied for construction of commercial complex in the said land. However, it was returned on 28.03.2013 on the ground that the said lands were originally allotted for a park in the lay-out approved by the fourth respondent. Further the petitioner was informed by the communication dated 12.04.2013, by the third respondent that the fourth respondent granted approval for 22 layouts in survey Nos.420/2,3,4 & 421/2 situated at Timiri Village, Arcot Taluk, Vellore District, in the year 1983. Accordingly, 22 house plots were approved subject to hand over 10% extend of the land to the third respondent for public purpose viz., making park. Suppressing the said facts, the subject lands were sold out to the petitioner. Further the land purchased by the petitioner is earmarked for public park. Therefore, the



*W.P.No.15592 of 2013*

purchase of the land by the petitioner itself illegal.

WEB COPY

4. This Court finds no infirmity or illegality in the order passed by the third respondent and the writ petition itself devoid of merits and liable to be dismissed. Accordingly, the Writ Petition stands dismissed. Consequently, connected miscellaneous petition is closed. There shall be no orders as to costs.

16.08.2024

Index : Yes/No

Speaking/Non Speaking order

Neutral Citation : Yes/No

rts



*W.P.No.15592 of 2013*

To  
WEB COPY

1. The District Collector,  
Vellore District,  
Vellore – 9.
2. The Tahsildar,  
Arcot Taluk,  
Arcot,  
Vellore District.
3. The Executive Officer,  
Selection Grade Town Panchayat,  
Timiri,  
Vellore District.
4. The Deputy Director,  
Town and Country Planning Department,  
Vellore-Dharmapuri Zone,  
Dharmapuri.



WEB COPY



*W.P.No.15592 of 2013*

**G.K.ILANTHIRAIYAN. J,**

rts

W.P.No.15592 of 2013  
and M.P.Nos.1 of 2013

16.08.2024