



WMP.No.15051 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 10.06.2025

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

WMP.No.15051 of 2025
in WP.No.33518 of 2022

Vathsala Jagannathan

.. Petitioner

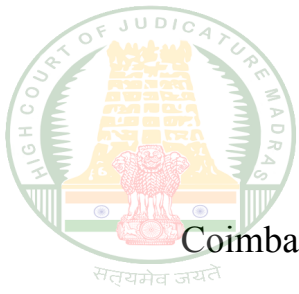
Versus

1. Directorate of Town and Country Planning
Represented by its Director
2nd, 3rd & 4th Floor
C&E Market Road
Koyambedu
Chennai - 600 107

2. The Collectorate, Coimbatore
Represented by its District Collector
7/1, State Bank Road
Gopalapuram
Coimbatore - 641 018

3. District Town and Country Planning
Department
Represented by its Joint Director
Corporation Complex
Dr.Nanjappa Road
Coimbatore - 641 018

4. Coimbatore City Municipal Corporation
Rep. by its Commissioner
P14, 1109, Big Bazaar Street
Near TK Market Town Hall



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Coimbatore-641 001.

5. The Tahsildar

Perur Taluk

No.44C, Siruvani main Road

Perur Coimbatore-641 010.

6. Tamil Nadu Real estate Regulatory Authority

Rep. by its Director

No.1A, 1st Floor, Gandhi Irwin Bridge Road

Egmore, Chennai-8.

7. Tamilnadu Pollution control Board

Rep. by its Environmental Pollution Officer

No.5, Ramasamy nagar

Kavundampalayam

Coimbatore (North)

Coimbatore-641 030.

8. The Registrar

Joint-II Sub Registrar

Old No.591A New No. 410 A

Raja Street

Coimbatore-641 001.

9. M/s.Ananya Shelters Pvt Ltd.

Rep. by its Managing Director

Having its registered office at

kasthurinaickenpalayam

Near KS Garden

Vadavalli Post

Coimbatore - 641 041

Also at

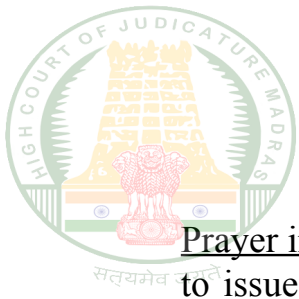
No.5/1C, Gandhi Nagar

Kavudampalayam (Post)

Coimbatore - 641 030

.. Respondents

Prayer in CMP.No.10622 of 2025: Petition filed under Section 151 of the Code of Civil Procedure seeking to clarify the order dated 05.01.2023 passed in WP.No.33518 of 2022.



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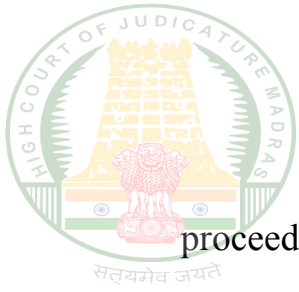
Prayer in WP: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records of the 1st Respondent pertaining to the impugned letter of demand dated 18.03.2022 bearing reference number Na.Ka. 2727/ 2022/ TCP-3 (1st impugned order) seeking for allocation of a portion of the petitioners schedule mentioned property in favour of the 4th respondent and quash the same as illegal and arbitrary and to call for the records of the 1st respondent pertaining to the approval of the order of the 1st Respondent bearing reference number Na.Ka. 2727/2022/TCP-3 and approval number 136/2022(2nd Impugned order) dated 17.05.2022 granting for development of the land in the schedule mentioned property under section 49 of the Tamil Nadu Town and Country Planning Act 1971.

For Petitioner : Mr.Harikrishnan
for Mr.S.Rajendrakumar
For Respondents : Mr.M.Murali, for R1 to R3, R5,6 & 8
Government Advocate

ORDER

This petition has been filed seeking to clarify the order dated 05.01.2023 passed in the above writ petition.

2. It is the contention of the learned counsel for the petitioner that though a third party namely Mrs.Renuka Bhojani has filed a suit in OS.No.1507 of 2016 challenging the sale deed executed by the petitioner. The said fact has been captured in the order passed by this Court. It is the grievance of the petitioner that based on the above observation of this Court in the order dated 05.01.2023, the Income Tax officials have initiated



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proceedings under Section 142 of the Income Tax Act to levy capital gains and the validity of the sale deed is subject matter of the lis before the civil court. Hence, seeks for clarification.

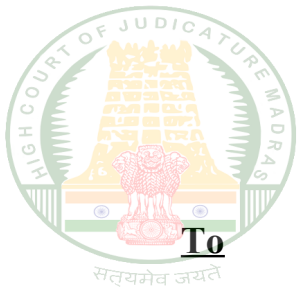
3. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents 1 to 3, 5, 6 and 8 and perused the materials placed on record.

4. This Court is of the view that if really the petitioner has already filed a suit in A.S.No.47 of 2023, the order of this Court dated 05.01.2023 will not come in the way of deciding the appeal on merits. Hence, no further order is required in this petition.

5. Accordingly, this petition stands closed.

10.06.2025

Index : Yes/No
Internet : Yes/No
dhk



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N.SATHISH KUMAR, J.

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Rep. by its Environemntal Pollution Officer
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Kavundampalayam
Coimbatore (North)
Coimbatore-641 030.

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