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W.P.No.19940 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2025

CORAM :
THE HONOURABLE MRS.JUSTICE N.MALA

Writ Petition No.19940 of 2025
and W.M.P.No.22492 of 2025

S.Ankaian

... Petitioner

Vs.

1.The District Collector,
Ranipet District, Ranipet.

2.The Block Development Officer,
Arkonam, Ranipet District.

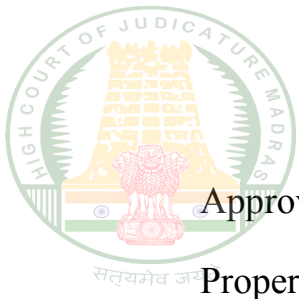
3.The Special Commissioner,
Town and Country Planning,
Arkonam, Ranipet District.

4.B.Kirubakaran

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus, directing the first respondent to issue direction to the second respondent to take appropriate Action to cancel the Lay-out approval given by Nagarikuppam village Panchayat in the name of AISHWARYA NAGAR issued by the third respondent vide

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Approved T & C.P.No.161/2002 to the fourth respondent in petitioner's UDR

Property in illegal manner in the schedule of property situated at No.138, Nagarikuppam village, Arkonam Taluk, Now Ranipet District in Punja UDR Survey Nos.(1) 263/2A, 0.18.5, 263/3, 0.47, 263/3C, 0.14.0, 261/B/2, 224(3)261 B2, 0.90.5 OUT OF 1.95.5 & 263/2 and thereon on petitioner's representation dated 16.12.2024 as the Village Panchayat has no locus standi to grant or permit Approval of Lay-out in the village according to law.

For Petitioner : Mr.R.Balasubramanian

For Respondents 1 to 3 : Mr.M.Shajakhan,
Special Government Pleader

For Respondent 2 : Mr.R.Siddharth,
Additional Government Pleader

ORDER

Seeking the first respondent to issue direction to the second respondent to take appropriate action to cancel the Lay-out approval given by Nagarikuppam Village Panchayat, in the name of Aishwarya Nagar issued by the third respondent vide approved T & C.P.No.161/2002, to the fourth respondent in petitioner's UDR Property situated at No.138, Nagarikuppam



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Village, Arkonam Taluk, Now Ranipet District in Punja UDR Survey Nos.(1)

263/2A, 0.18.5, 263/3, 0.47, 263/3C, 0.14.0, 261/B/2, 224(3)261 B2, 0.90.5

OUT OF 1.95.5 & 263/2, by considering the petitioner's representation dated 16.12.2024, the present writ petition is filed.

2. Mr.M.Shajakhan, learned Special Government Pleader takes notice for the respondents 1 & 3 and Mr.R.Siddharth, learned Additional Government Pleader takes notice behalf of second respondent.

3. By consent of both the counsels, this writ petition is taken up for final disposal at the admission stage itself.

4. The case of the petitioner is that he is the absolute owner of the property at No.138, Nagarikuppam Village, Arakkonam Taluk (now in Ranipet District), having acquired the same through his maternal grandfather, father, and wife. Since 1992, he was in continuous possession, paying land

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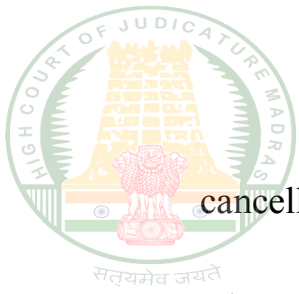


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revenue and other statutory taxes. Due to personal constraints, he executed a registered Power of Attorney (Doc. No. 887/1992 dated 30.05.1992, Sembium S.R.O., Perambur) in favour of the 4th respondent, Mr. B. Kirubakaran, to manage and cultivate the land. However, the 4th respondent started misusing the power, by giving evasive replies when questioned. As a result, the petitioner revoked the Power of Attorney, through a registered Revocation Deed (Doc. No. 1153/2007 dated 25.01.2007) and resumed cultivation by taking over possession on 01.12.2005, from the 4th respondent.

5. Thereafter, the petitioner came to know that the 4th respondent had fraudulently obtained layout approval from the 3rd respondent on 01.12.2024, in the name of "Aishwarya Nagar CISF Township" without the petitioner's knowledge, consent, and without any valid authority over the land. According to the petitioner, the village panchayat had no legal authority to grant the approval for a layout in cultivable land. The petitioner therefore submitted a representation to the respondents 1 to 3 on 16.12.2024, requesting

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cancellation of the said approval (T&CP No: 161/2002), but no action was

taken. Hence, the petitioner filed the present writ petition seeking appropriate

directions to the respondents 1 to 3 to cancel the illegal layout approval

granted by the 3rd respondent by considering his representation, in accordance

with law.

6. Though many grounds have been raised in the writ petition, learned counsel for the petitioner submitted that, it would suffice if, this Court issues a direction to the 3rd respondent, not to grant approval for any work over the petitioner's land, till the orders are passed on the petitioner's representation dated 16.12.2024.

7. In view of the above facts and considering the limited relief sought for by the learned counsel for the petitioner, without going into the merits of the case, I direct the third respondent to consider the petitioner's representation dated 16.12.2024, and pass orders on merits and in accordance



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with law, within a period of eight(8) weeks from the date of receipt of a copy

of this order. It is made clear that the 3rd respondent shall not grant approval

for any work over the petitioner's land, till then.

8. With the aforesaid direction, this writ petition is disposed of.

No costs.

05.06.2025

msv

Index : Yes/No

Speaking Order : Yes/No

Neutral Citation : Yes/No

To:

1.The District Collector,
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2.The Block Development Officer,
Arkonam, Ranipet District.

3.The Special Commissioner,
Town and Country Planning,
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N.MALA,J.

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