



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-10-2025

CORAM

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

WP No. 18268 of 2014

and

MP.Nos.1 and 2 of 2014

Thiru.Devavenkatrathinam
Ex-President, Ammanur Village Panchayat,
Arakkonam Panchayat Union,
Arakkonam Taluk, Vellore District.

(Petitioner amended as per order
dt.17.04.2018)

Petitioner(s)

Vs

1. The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Fort St. George, Chennai-9.
- 2.The Collector,
Vellore District, Vellore.
- 3.The Assistant Director,
Panchayats, Vellore.



4.The Arakkonam Municipality,
Arakkonam, Vellore District,
Rep. by its Commissioner

Respondent(s)

PRAYER

This writ petition has been filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, Calling for the records of the 2nd respondent in his proceedings Na.Ka. B4/ 6328/2014 dated 29.1.2014 and quash the same and to direct the 2nd respondent to exclude S.No.38, Ammanur Village, Arakkonam Taluk from within the local limits of Arakkonam Municipality and to retransfer the said field S.No.38 to Ammanur Village Panchayat, Arakkonam Taluk.

(Prayer amended as per order dated 17.04.18 in WMP.No.11141/18 in WP.No.18268/14.)

For Petitioner(s): Mr. S.Gowri Shankar
for
Mr.G.Jeremiah

For Respondent(s): Mr. L.S.M.Hasan Faizal, AGP
for R1 to R3

Mr.S.S.Swaminathan
for R4



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ORDER

Heard Mr.Gowrisankar for Mr.G.Jeremiah, Mr.L.S.M.Hasan Fizal for respondents 1 to 3 and Dr. Swaminathan for 4th respondent.

2. This is essentially a dispute between the Ammanur Village Panchayat and the Arakkonam Municipality. According to the Ammanur Panchayat, the portion of land, that has been taken over by the Tamil Nadu Small Industries Development Corporation(SIDCO), falls within the Ammanur Panchayat limits and is governed by the Tamil Nadu Panchayats Act of 1994.

3. The fourth respondent asserts that after SIDCO had developed the Industrial Estate, the properties bearing survey nos.38, 47-A, 47-B falls within the Town limits of Arakkonam Municipality. When the allottees of SIDCO had attempted to construct on the lands allotted to them, the writ petitioner objected to the same, saying such construction should not be permitted till they get



approval from the Village Panchayat. As the allottees were facing issues, they approached the officials of SIDCO to resolve the same. In turn, SIDCO wrote a letter to the District Collector calling upon him to pass an appropriate order.

4. Acting upon the representation made by the Director, SIDCO, on 10.03.2014, the District Collector passed an order that the property situated in survey nos. 38, 47-A & 47-B were originally within the limits of the Ammanur Village Panchayat, but, after the creation of the Industrial Estate, it was re-assigned as T.S.No.9, Block-7, Town Ward-D of Arakkonam Municipality. This order is being impugned on the sole ground of jurisdiction.

5. While the petitioner relies upon the decrees of Civil Court to substantiate its case, Dr.Swaminathan relies upon the provisions of the Tamil Nadu Survey and Boundaries Act, 1923. It is not for this Court, under Article 226 of the Constitution, to decide under whose jurisdiction the property falls.



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6. Under Section 238 of the Tamil Nadu Panchayats Act 1994 and Section 55-A of the Tamil Nadu Urban and Local Bodies Act, 1998, the first respondent has to take a call on this issue. If a call is taken by the first respondent, it will be binding on Ammanur panchayat, as well as the Arakkonam Municipality.

7. Hence, the second respondent is directed to send the entire file, including the representation that had been made by the Director, SIDCO, to the Municipal Administration and Water Supply Department (MAWS) of the State of Tamil Nadu. The Secretary to MAWS Department shall decide the issue so presented before him and pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order.

8. The order impugned in the writ petition will be treated as a recommendation of the District Collector to the first respondent, and it will not have the legal force of an order.



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9. With the above observations and directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

17-10-2025

Speaking/Non-speaking order
Neutral Citation: Yes/No

mrp
To

1.Principal Secretary to Government,
Fort St. George, Chennai-9.

2.The Collector,
Vellore District, Vellore.

3.The Assistant Director,
Panchayats, Vellore.

4.The Arakkonam Municipality
Arakkonam, Vellore District,



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V.LAKSHMINARAYANAN J.

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