



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-02-2025

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CORAM

THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

WA No. 425 of 2024

Mr.Jothi Raja.K

Appellant(s)

Vs

1. The Principal Secretary Cum
Member Secretary
Chennai Metropolitan Development
Authority, Thalamuthu-Natarajan
Maligai, No.1, Gandhi Irwin Road,
Egmore, Chennai 600 008.

2.The Block Development Officer
Panchayat Union Office, Chitlapakkam,
Chennai.

3.The Sub-Registrar Office
Padappai, Kancheepuram District.
Kancheepuram

Respondent(s)



PRAYER

WEB C 153 To set aside the impugned order and judgment dated 12.09.2023 in W.P.No. 8153 of 2022 and W.M.P.No. 8144 of 2022 and allow the Appeal directing the 1st Respondent to pave way to his land with cost.

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For Appellant(s): Mr.M.K.Bhoopathy Rajan
For M/s.Swaminathan Associates

For Respondent(s): Mr.R.Sivakumar Standing
Counsel For CMDA For R1
Mr.T.Chandrasekar SGP For R2
and R3

ORDER

(Order of the Court was made by S.M.Subramaniam J.)

The Intra-Court Appeal has been instituted challenging the writ order dated 12.09.2023 passed in W.P.No.8153 of 2022.

2. The grievance of the appellant is that there is no approach road to the agricultural land belonging to the appellant. The appellant is the owner of the agricultural land comprised in S.No.129/4 situated at Mudichur Village, Tambaram Taluk, Kancheepuram District. The impugned order reveals that the layout in question was approved as early as on 13.11.2009 and the roads



proposed in Approval No.54 of 2009 and the roads proposed in the said layout were gifted in favour of local body.

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3. The enlarged map of the layout and the adjacent property shows that there is a road in the layout leading to S.No.120 in Mudichur village. In view of the said fact the learned Single Judge made a finding that the objection raised by the appellant was incorrect, and the respondents could establish that there is an approach road to reach the agricultural land belonging to the appellant.

4. If at all any encroachment is identified, it is for the appellant to initiate appropriate action in the manner known to law. Alternatively, if there is no approach road as alleged by the appellant or any objection, the appellant is at liberty to approach the Competent Civil Court of Law to establish his right or otherwise.



5. With this liberty, the Writ Appeal stands dismissed. There shall be no order as to costs.

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(S.M.SUBRAMANIAM J.)(K.RAJASEKAR J.)

19-02-2025

Jeni

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1.The Principal Secretary Cum Member
Secretary
Chennai Metropolitan Development
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**S.M.SUBRAMANIAM
J.
AND
K.RAJASEKAR J.**

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