



WP(MD). No.1728 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 18/12/2025

CORAM

The Hon`ble Mr.Justice R.VIJAYAKUMAR

**WP(MD). No.1728 of 2025
and WMP(MD) No.1226 of 2025**

A. Amjath Ali

... Petitioner

Vs

1. The District Collector,
Tenkasi District,
Tenkasi..

2. The Assistant Director (Village Panchayat),
Tenkasi District,
Tenkasi..

3. The Block Development Officer,
Kadayam Block,
Tenkasi District.

4. The President,
Dharmapuramadam Panchayat,
Tenkasi District.

... Respondents

PRAYER :- Writ Petition filed under Article 226 of Constitution of India, praying this Court to issue of Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order dated 04.12.2024 in Na.Ka.No. BDKDM/751/2024/A3 passed by the 3rd respondent and



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quash the same as illegal and consequently directed the respondents 3 and 4 to issue approved building plan approval to the petitioner by considering the petitioners online application dated 28.06.2024 in application No. SWP/BPA/ 0276301/2024 within a stipulated period as framed by this Court.

For Petitioner : Mr.A.Sankararamasubramanian

For Respondents : Mr.B.Saravanan for R1 and R2
Additional Government Pleader

Mr.V.Omprakash for R3 and R4

ORDER

The present writ petition has been filed seeking to quash the order passed by the third respondent herein, wherein, the request of the petitioner for grant of building plan approval has been rejected.

2. A perusal of the impugned order reveals that the building plan approval request made by the petitioner has been rejected on the following grounds:

- (a) The petitioner has put up construction in a nanja land, and
- (b) WP (MD) No.18023 of 2021 is pending before the High Court.



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3. The petitioner has cropped title to the property on the basis of a registered release deed dated 19.08.2023 in registration No.3554/2023 on the file of the Sub Registrar of Kadayam Sub Registrar's Office. Perusal of the said documents reveals that Sub Registrar has collected stamp duty at sq. feet rate treating it as a house site. Therefore, the said objections raised under the impugned order is liable to be rejected.

4. As far as the pendency of WP (MD) No.18023 of 2021 is concerned, it is a public interest litigation seeking a mandamus against the District Collector, Tenkasi District to restore the territorial jurisdiction of Alwarkurichi Town Panchayat over S.Nos.1403-1B1B, 1B2A, 1B2D, 1B2H, 1B2I, 1B2E and 1372-1B. Therefore, the said writ petition has nothing to do with the building plan approval to be granted to the writ petitioner. That apart, the petitioner has put up construction in S.No.1412/2B12, which is not the subject matter of the above said writ petition.



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5. In view of the above said facts, the writ petition stands allowed and the order impugned in the writ petition is set aside and the third respondent is directed to grant the building plan approval, if it is otherwise in order. No costs. Consequently connected Miscellaneous Petition is closed.

18.12.2025

NCC : Yes/No

Index : Yes/No

RR

TO

1. The District Collector,
Tenkasi District,
Tenkasi..

2. The Assistant Director (Village Panchayat),
Tenkasi District,
Tenkasi..

3. The Block Development Officer,
Kadayam Block,
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R.VIJAYAKUMAR, J.

RR

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