

W.P.(MD) No.10648 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 29.08.2025

CORAM

**THE HON'BLE MR.JUSTICE C. SARAVANAN**

**W.P.(MD) No.10648 of 2025**

R.Chandravathi

: Petitioner

Vs.

1.The Secretary to Government,  
Housing and Urban Development Department,  
St. George Fort,  
Chennai.

2.The Deputy Director,  
Town and Country Planning Department,  
Thoothukudi District,  
Thoothukudi.

: Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, to call for the entire records connected with the impugned order in G.O No.19 of the Housing and Urban Development Department dated 21/02/2025 on the file of the 1<sup>st</sup> respondent herein and quash the same as illegal and consequently direct the 1<sup>st</sup> respondent to give approval for the petitioner's application No.U0BO0H50/2024/TCP, dated 12/04/2024 and pass such further or other orders.



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For Petitioner : Mr.S.Saravanan

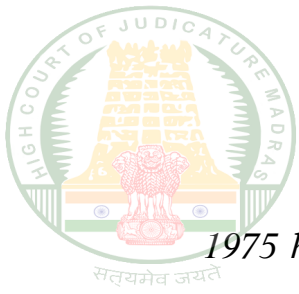
For Respondents : Mr.D.Ghandiraj  
Special Government Pleader

### **ORDER**

This writ petition is disposed of, after hearing the learned counsel for the petitioner and the learned Special Government Pleader for the respondents, as the issue covered by an order of this court in the case of ***M.Santhanaraj Vs. The Secretary to Government, Housing and Urban Development Department, St.George Fort, Chennai and another (WP(MD)No.20983 of 2025, dated 01/08/2025)***, wherein in similar circumstance, this court held as follows:-

*“This Writ Petition is disposed of at the time of admission with the consent of the learned counsel for the petitioner and the learned Special Government Pleader for the respondents.*

*2.The petitioner is aggrieved by the impugned order passed by the first respondent, whereby request of the petitioner for layout approval under Section 79 of the Tamil Nadu Town and Country Planning Act,*



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1975 has been rejected on the ground that the petitioner's property does not have requisite 7 meters width road for layout approval.

3.The learned counsel for the petitioner has drawn attention to the following Government Orders in the case of following persons:

| S.No. | G.O.                                                                                 | Petitioner Name | Road Measurement                                                                          |
|-------|--------------------------------------------------------------------------------------|-----------------|-------------------------------------------------------------------------------------------|
| 1     | G.O.(3D).No.55, Housing and Urban Development (UD 5(1)) Department, dated 06.11.2023 | Chinnasamy      | The access road width to the site is 5.43 m on one corner and 6.03 m on the other corner. |
| 2     | G.O.(3D).No.65, Housing and Urban Development (UD 5(1)) Department, dated 28.11.2024 | Senthil Kumar   | 6.10 m                                                                                    |
| 3     | G.O.(3D).No.30, Housing and Urban Development (UD 5(1)) Department, dated 14.03.2025 | T.S.Ganesh Rao  | 6.10 m                                                                                    |

4.The learned counsel for the petitioner submits that layout approvals have been given to above mentioned persons ignoring the lands which are in possession of the petitioner and when the petitioner seeks for a permission, the same has been rejected by the respondent.

5.The learned Special Government Pleader for the respondents submits that the above relaxation cannot applied in the case of the petitioner, as the width of the road which has been provided by the



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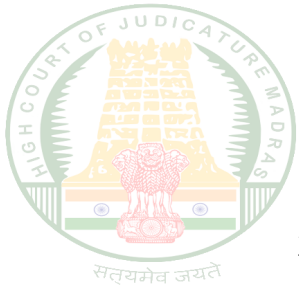
*petitioner is only 3.60 on one side and 4.80 on the other side. Therefore,*

*it is not feasible under these circumstances.*

*6. On perusing the layout that abutting the petitioner's property and the main road indicates that the layout approval can be given irrespective of the fact that the width of the road is 3.60 in one side and 4.80 on the other side as the land abutting the aforesaid portion is itself a road. The same can be considered for giving layout approval for the land in Survey No.523/3 of the petitioner. Therefore, the impugned order is set aside and the case is remitted back to the second respondent to pass an order on merits.*

*7. Under these circumstances, the respondents are directed to reconsider the prayer of the petitioner and pass appropriate orders in the light of the relaxation given in the aforementioned persons, within a period of eight (8) weeks from the date of receipt of a copy of this order.*

*8. The Writ Petition is disposed of, with the above observations. No costs."*



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2. In view of the same, the 1<sup>st</sup> respondents is directed to re-consider the prayer of the petitioner and pass appropriate orders in terms of the above said order, within a period of eight weeks from the date of receipt of a copy of this order.

3. The writ petition is **disposed of** with the above observations. No costs.

29.08.2025

Index : Yes / No  
Internet : Yes / No  
Neutral Citation : Yes / No  
Speaking Order / Non-Speaking Order  
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**C.SARAVANAN, J.**

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To,

- 1.The Secretary to Government,  
Housing and Urban Development Department,  
St. George Fort,  
Chennai.
- 2.The Deputy Director,  
Town and Country Planning Department,  
Thoothukudi District,  
Thoothukudi.
- 3.The Special Government Pleader,  
Madurai Bench of Madras High Court,  
Madurai.

order in  
W.P.(MD) No.10648 of 2025

29.08.2025