



W.P.(MD).No.19104 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 15.07.2025

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD) No.19104 of 2025
and
W.M.P(MD) No.14658 of 2025

1.Shanthi

2.Rajeshwari,

3.Suresh

... Petitioners

Vs.

1.The Director,
Directorate of Town and Country Planning,
CMDAComplex, 2nd and 3rd Floor,
E and C Market Road,
Koyambedu, Chennai - 600 107.

2.The Member Secretary,
The District Town and Country Planning,
No.5, Ganapathi Nagar, 2nd Street,
Medical College Road,
Thanjavur District.

3.The Assistant Director,
The District Town and Country Planning,
No.5, Ganapathi Nagar, 2nd Street,
Medical College Road,
Thanjavur District.



W.P.(MD).No.19104 of 2025

4.The Commissioner,
Thanjavur City Municipal Corporation,
Gandhiji Road, Graham Nagar,
Sivaji Nagar, Thanjavur District.

5.The District Collector,
Thanjavur Collectorate Office,
Thanjavur District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd respondent herein to consider and dispose of the representation made through legal notice dated 04.01.2025 under section 54 of the Tamil Nadu Town and Country Planning Act, 1971 within a reasonable time as fixed by this Court.

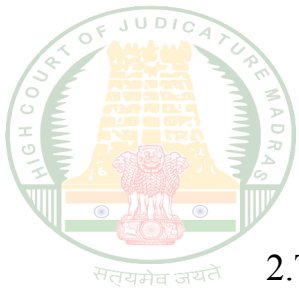
For Petitioner : Mr.Gowtham Arun B

For R1 to R3 and R5 : Mr.D.Ghandiraj
Special Government Pleader

For R4 : Mr.N.Dilip Kumar
Standing Counsel

ORDER

This Writ Petition is disposed of at the time of admission after hearing the learned counsel for the petitioner, the learned Special Government Pleader appearing for the respondent Nos.1 to 3 and 5 and the learned Standing Counsel appearing for the fourth respondent.



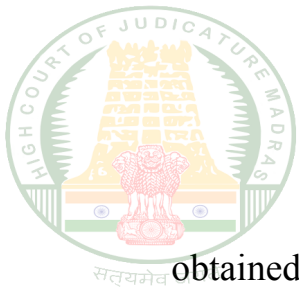
W.P.(MD).No.19104 of 2025

2.The petitioner is before this Court for a Mandamus, to dispose of the petitioner's representation, dated 04-01-2025, under Section 54 of the Tamil Nadu Town and Country Planning Act, 1971.

3. It appears that the petitioner and five of his siblings, were the owners of land in various survey numbers, which were originally agricultural land. The land was divided among the siblings pursuant to a Will that is said to have been executed on 19.06.1963 and 04.03.1992 by the parents of the petitioners.

4. It appears that some of the petitioner's sister have obtained the layout approval in the year 2004 and thereby, have locked the land of the petitioner, which was allotted in pursuant of the aforesaid Will in Survey No.1529/1A1 1529/1A2 1529/10 measuring approximately to an extent of 2.65 Acres.

5. The petitioner earlier had sent a representation, which came to be disposed on 09.10.2024 by the fourth respondent, wherein, the petitioner was called upon to get consent from her siblings. Thereafter, the petitioner has issued a legal notice on 04.01.2025, which is sought to be treated as representation of the petitioner. The petitioner has not made his siblings, who



W.P.(MD).No.19104 of 2025

obtained the layout approval under the Tamil Nadu Town and Country Planning Act, 1971, as parties to the proceedings or to the notices that were issued.

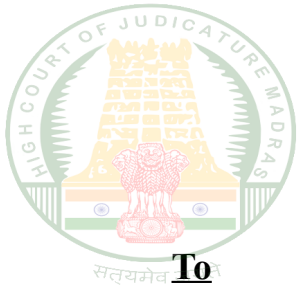
6. It appears that the petitioner is seeking easement any rights, since the petitioner has no access to the land, which has been allotted to the petitioner. The petitioner has to work out the remedy before the civil Court to establish her easement rights over the land independently. It is thereafter open for the petitioner to move appropriate applications for cancellation of the layout approval by making the petitioner's sibling as parties to the proceedings.

7. With the above liberty, the Writ Petition is dismissed. Consequently, connected Miscellaneous Petition is closed. No costs.

15.07.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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W.P.(MD).No.19104 of 2025

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W.P.(MD).No.19104 of 2025

C.SARAVANAN, J.

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