



W.P.(MD) No.26816 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.(MD) No.26816 of 2022

Abbas

... Petitioner

Vs.

- 1.The Director of Town and Country Planning
Town Planning 2, 3 & 4 Floor,
E & C Market Road,
Koyambedu, Chennai – 600 107.
- 2.The Joint Director of Town & Country Planning,
Kajamalai Main Road,
Kajamalai, Trichy – 620 023.
- 3.The Inspector General of Registration,
Santhome High Road, Chennai.
- 4.The District Collector,
Trichy District, Trichy.
- 5.The District Registrar,
Registration Department,
Trichy District, Trichy.
- 6.The Revenue Divisional Officer,
Lalgudi, Trichy District.



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7. The Tahsildar,
Manachanallur Taluk,
Manachanallur, Trichy.
8. The Block Development Officer,
Manachanallur Panchayat Union,
Manachanallur Post,
Trichy District.
9. The Sub Registrar,
Office of the Sub Registrar,
Manachanallur, Trichy District.
10. The Panchayat President,
Venkakudi Panchayat,
Pallivedei Post, Manachanallur Taluk,
Trichy District.

11. T.Rajkumar

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the seventh respondent to consider the petitioner's representation, dated 06.12.2021 and pass suitable orders within the time stipulated by this Court.

For Petitioner : Mr.M.Sreenivasan

For Respondents : Mrs.D.S.Nedunchezian,
Government Advocate,
for R1, R2, R4, R6 & R7.

: Mr.S.Shaji Bino,
Special Government Pleader,
for R3, R5 and R9.



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: Mr.A.Baskaran,
Additional Government Pleader,
for R8 to R10.

: Mr.S.K.Mani, for R11.

ORDER

The Writ Petition has been filed seeking a direction to the seventh respondent to consider the representation of the petitioner, dated 06.12.2021 and pass suitable orders.

2. Heard the arguments of Mr.D.S.Nedunchezian, learned Government Advocate appearing for the respondents 1, 2, 4, 6 and 7, Mr.S.Shaji Bino, learned Special Government Pleader appearing for the respondents 3, 5 and 9; Mr.A.Baskaran, learned Additional Government Pleader appearing for the respondents 8 and 10 and Mr.S.K.Mani, learned counsel appearing for the eleventh respondent.

3. A perusal of the representation submitted by the petitioner would indicate that he claims that the subject property belongs to Ethibar Khan



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Family Trust and in the year 1927 resettlement registered patta was issued in the name of trust in patta No.862.

4. According to the petitioner, the property of the trust was sold by one Jeenath Beevi and Safura Beevi in favour of one Nagarathina Amma and she in turn sold it to one V.S.P.Ilangovan. It is the specific case of the petitioner as seen in the affidavit that the above mentioned Jeenath Beevi and Safura Beevi had no right to convey the trust property, without permission of the civil Court. Therefore, according to the petitioner, the eleventh respondent who is the subsequent purchaser of the property will not get any title over the subject property.

5. It is also specifically stated that the eleventh respondent moved the respondents 1 and 2 and got approval under Tamil Nadu Town and Country Planning Act for developing the land. Hence, the petitioner submitted a representation before the respondents requesting them not to give any approval to the development of the Trust properties.



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6. It appears that the petitioner is attacking the validity of the certain registered documents executed in favour of the eleventh respondent and his predecessor in interest. The respondents herein cannot decide the validity of a registered document and the title of the vendor to convey the property to the eleventh respondent. Therefore, it is for the petitioner to move the Civil Court to get redressal of his grievance. Therefore, this Court is not inclined to issue any direction to the respondents as prayed for.

7. Accordingly, this Writ Petition is dismissed with liberty to the petitioner to workout his remedy before the Civil Court. The petitioner is entitled to exclude the time taken by him in prosecuting this Writ Petition before this Court while calculating limitation for civil suit (ie., from 23.11.2022 to date of receipt of copy of this order). No costs.

09.07.2025

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
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- 9.The Sub Registrar,
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S.SOUNTHAR,J.

das

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