



W.P.(MD)No.30142 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 25.10.2025

CORAM:

THE HON'BLE MS.JUSTICE P.T.ASHA

W.P.(MD).No.30142 of 2025
and
W.M.P(MD).No.23335 of 2025

M.Rajamani

... Petitioner

Vs.

1. The Principal Secretary to the Government,
Housing and Urban Development Department,
Government of Tamil Nadu,
Secretariat,
Chennai-600 009.

2. The Director,
Directorate of Town and Country Planning,
C and E, Market Road, Koyembedu,
Chennai-600 107.

3. The Member Secretary (I/C)/Assistant Director,
Madurai Local Planning Authority,
Madurai 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 respondents to change the classification of the land in the proposed master plan



W.P.(MD)No.30142 of 2025

pending before the 3rd respondent in his proceedings in Na.Ka.No. 1251/2015/mathi2 dated 17.07.2025 in respect to property in S.No.106/2 and 106/3, Velliankundram Village, East Taluk, Madurai District as Residential by considering my representation dated 09.10.2025 and pass such other order or orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner : Mr.T.Antony Arulraj

For R1 to R3 : Mrs.D.Farjana Ghoushia
Special Government Pleader

ORDER

This writ petition has been filed seeking to direct the respondents to change the classification of the land in the proposed master plan pending before the 3rd respondent in his proceedings in Na.Ka.No. 1251/2015/mathi2 dated 17.07.2025 in respect to property in S.No.106/2 and 106/3, Velliankundram Village, East Taluk, Madurai District as Residential by considering his representation dated 09.10.2025 and pass such other order or orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.



W.P.(MD)No.30142 of 2025

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2. Mrs.D.Farjana Ghoushia, learned Special Government Pleader takes notice on behalf of the respondents 1 to 3.

3. By consent of both the parties, the writ petition is taken up for final disposal at the admission stage itself.

4. It is the contention of the petitioner that the property in question was owned by himself and his brother and they had been assigned with the joint patta. The property in question has not been cultivated for over 20 years and the Adangal reflect the subject property as “வீட்டடி தரிசு”,

5. The properties in and around the subject properties have been converted into house sites. Immediately abutting the land in question about 300 plots of house sites has been formed. The petitioner with an intent to put up construction in the property approached the Village Panchayat, Madurai East seeking building plan approval. He was then informed that the building plan approval could be granted once the lands are reclassified as “Residential” from “Agricultural” in the master plan to



W.P.(MD)No.30142 of 2025

be prepared by the 1st respondent. He was directed to apply before the 2nd respondent. Accordingly, the petitioner had approached the 2nd respondent who informed him that the existing master plan of the year 1990 was proposed to be revised and a draft was also made available by the Department. He was asked to verify the classification and he was shocked to note that the classification of the property was still maintained as agriculture.

6. At this juncture, he was informed that the 3rd respondent had invited opinions from the officials to get approval from the 1st respondent under Section 28 of the Tamil Nadu Town and Country Planning Act, 1971 and the meeting was scheduled to be held on 25.07.2025. He was also informed that the meeting had not taken place and no decision had been finalized.

7. The petitioner grievance is that the revision of the Master Plan that too taking place 35 years after the original master plan had not been published and therefore, interested parties have not been able to put forward their objections. However, the petitioner submitted an objection



W.P.(MD)No.30142 of 2025

dated 09.10.2025 regarding the classification of the land, to which, there had been no response. Therefore, he has come forward to file the above writ petition.

8. The filing of the writ petition within days of forwarding the representation by registered post has to be deprecated. Even according to the petitioner there has been a publication as contemplated under Section 26 of the Tamil Nadu Town and Country Planning Act, 1971. The petitioner has not responded to the same. Another fact which has to be taken note of is that the purchase made by the petitioner is subsequent to the publication, i.e., nearly five months after the publication. Therefore, he cannot find fault with the statutory authorities and seek a mandamus to them. The extraordinary jurisdiction conferred upon this Court is being mis-used.

9. The writ petition is therefore liable to be dismissed both on the grounds of it being premature and on the ground that when the publication had been effected the petitioner was not even the land owner.



W.P.(MD)No.30142 of 2025

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10. Accordingly, the writ petition stands dismissed. No costs.

Consequently, connected miscellaneous petition is closed.

25.10.2025

NCC :yes/No
Index :yes/No
Internet:yes/No
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W.P.(MD)No.30142 of 2025

To

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W.P.(MD)No.30142 of 2025

P.T.ASHA, J.

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W.P.(MD).No.30142 of 2025
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