



W.P.(MD)No.32368 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 12.11.2025

CORAM:

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**
AND
THE HONOURABLE **MR.JUSTICE C.KUMARAPPAN**

W.P.(MD)No.32368 of 2025
and
W.M.P(MD)Nos.25464, 25467 & 25469 of 2025

G.Sivakumar

... Petitioner

Vs.

1.The Additional Secretary, (Technical),
Housing Development and Town and
Country Planning Department, Chennai - 600 009.

2.The Director,
The Town and Country Planning Department,
Chennai.

3.The Executive Officer,
Keezhkulam Town Panchayat,
Keezhkulam,
Kanyakumari District.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order No.251 dated 24.10.2025 passed by the



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third respondent and quash the same and consequently directing the third respondent to approve the proposed minor variation without insisting on a fresh plan approval.

For Petitioner : Mr.M.R.Sreenivasan

For Respondents : Mr.J.Ashok (R1 to R3)
Additional Government Pleader

ORDER

(Order of the Court was made by **DR.ANITA SUMANTH, J.**)

An endorsement is made by Mr.M.R.Sreenivasan, learned counsel for the petitioner to the effect that the petitioner does not pursue the writ petition and instead seeks liberty to file an appeal.

2.That is as well, as the petitioner has availed statutory remedy under Section 79 of the Town and Country Planning Act, 1971 ('Act') as against the very same order impugned before us, dated 24.10.2025.

3.However, Mr.Ashok, learned Additional Government Pleader, who appears on behalf of the respondents, points out that the impugned order has been passed under Section 56(2)(3)/57(4) of the Act, against which only an application under Section 80-A of the Act will lie



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before the Government. Hence, liberty is granted to the petitioner, if he so desires, to move the authorities in terms of Section 80-A of the Act,

4.Recording the same, this Writ Petition is dismissed as withdrawn with the aforesaid liberty. No costs. Consequently, connected Miscellaneous Petitions are closed.

[A.S.M.J.] & [C.K.J.]
12.11.2025

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

To

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