



W.P.(MD)No.34124 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.11.2025

CORAM:

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

W.P.(MD).No.34124 of 2025

and

W.M.P(MD)No.26963 of 2025

1. Smt.Subbulakshmi
2. Ramachandran
3. Smt.K.Rukmani
4. Smt.V.Maheswari
5. Smt.D.Radha
6. Smt.C.Rathipriya
7. Smt.R.Chitra
8. B.Harish Patel
9. S.A.Vasudevaraja
10. Smt.G.Dhanalakshmi
11. Dr.Perumalsamy
12. Dr.Sivakumar
13. Dr.Ganesh

... Petitioners

Vs.

1. The secretary to Government,
Housing and Urban Development Department,
Secretariat,
Chennai.
2. The Director,
Town and Country Planning,
4th Floor, C and E,
Market Road,
Koyambedu,
Chennai-600 107.



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3. The Commissioner,
Rajapalayam Municipality,
Rajapalayam-626 117,
Virudhunagar District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus or any other appropriate Writ, directing the respondents to implement the original B-10 road plan in consonance with the resolution dated 31.07.2024 passed by the 3rd respondent in Council Resolution No.370 within the time to be stipulated by this Honble Court and pass such further or other orders as this Honble Court may deem fit and proper in the above facts and circumstances and thus render justice.

For Petitioners	: Mr.P.Saravanan
For R1 & R2	: Mr.D.Sasi Kumar Additional Government Pleader
For R3	: Mr.N.Dilip Kumar

ORDER

The above writ petition has been filed for the following relief:-

“Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus or any other appropriate Writ, directing the respondents to implement the original B-10 road plan in consonance with the resolution dated 31.07.2024 passed by the 3rd respondent in Council Resolution No.370 within the time to be stipulated by this Honble Court and pass such further or other orders as this Honble Court may deem fit and proper in the above facts and circumstances and thus render justice.”



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2. Mr.D.Sasikumar, learned Additional Government Pleader takes notice on behalf of the respondents 1 and 2. Mr.N.Dilip Kumar, learned counsel takes notice on behalf of the 3rd respondent.

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

4. The case of the petitioners is that they are the owners of the properties bearing T.S.Ward-I, Block-3, T.S.No.8/2, 7/2, 6/5, 9, 6, 5, 4/1A, 4/1B, 4/2, 4/8, 4/9, 4/12, 4, 5, 6, 4/7A, 4/7B, 11/1, T.S.Ward-I, Block-5, T.S.No.164, 170, 172/1. At the time of purchase of these lands, the petitioners' predecessors, viz., the land promoters, had provided a 21 feet road for ingress and egress of the above-mentioned properties. The petitioners had obtained proper permission from the 3rd respondent and constructed residential houses, hospital, marriage hall, and other buildings, etc. They had also obtained drinking water and EB connections.



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5. The above-said properties are located south of PACR Main Road (Rajapalayam Chatrapatti Salai) and west of Jaianand Theatre. In this connection, the 3rd respondent municipality has approved the formation of a “CC 60 Feet road” from Rajapalayam Chatrapatti Road under Pudupalayam Development Extension Scheme and notified the said road as “CC 60 feet road”. The 3rd respondent had also passed a resolution to that effect on 25.01.2023. Pursuant to this, a notification was published vide paper publication on 18.03.2023, and in the said notification, the 2nd respondent proposed to implement the CC 60 feet road.

6. Further, the 2nd respondent had decided to form another B-10 road under Master Plan on the west of the CC 60 Feet Road Scheme Road. Pursuant to this, G.O.(MS)No.72 Housing and Urban Development (UD)4(2) dated 13.07.2023 and G.O.(Ms).No.21 Housing and Urban Development (UD)4(2) dated 30.01.2024 have been passed to that effect. Thereafter, the 2nd respondent had proposed to re-align the B-10 Road and issued a paper publication dated 24.02.2024 to that effect. The proposed realigned B-10 road (Topo Sketch-2) passes through the petitioners' properties, whereas the proposed original B-10 road (Topo Sketch-1) passes through a vacant site.



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7. Aggrieved by the same, the petitioners have sent an objection dated 22.04.2024 to the respondents; however, the same has not been considered. Thereafter, the petitioners have sent a detailed representation to the respondents and other officials. Pursuant to this, the 3rd respondent has passed a resolution in the council meeting dated 31.07.2024, directing the authorities to implement the original B-10 proposal shown in Topo Sketch No.1, and the same was also confirmed to the petitioners vide communication dated 04.09.2024.

8. Thereafter, the petitioners have once again sent a representation dated 01.04.2025 to the respondents, requesting them to implement only the original B-10 road proposal as per the resolution passed by the 3rd respondent. However, no action has been taken to date. Aggrieved by the same, the petitioners are before this Court.

9. Heard the learned counsel on either side.



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10. In view of the above discussion, the writ petition stands allowed, and the 1st respondent is directed to consider the resolution passed by the 3rd respondent dated 31.07.2024, affording an opportunity of personal hearing to both parties, after receiving their representations/objections, if any, and thereafter, pass a speaking order within a period of twelve (12) weeks from the date of receipt of a copy of this order. It is needless to state that the road cannot be widened unless and until the property of the petitioners is acquired in the manner known to law. No costs. Consequently, the connected miscellaneous petition is closed.

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NCC :yes/No
Index :yes/No
Internet:yes/No
rgm



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P.T.ASHA, J.

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