



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-02-2026

CORAM

**THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE C.KUMARAPPAN****WA No. 1383 of 2023
and
C.M.P.No.13487 of 2023**

The Salt Corporation of India
represented by its Deputy Commissioner, II Floor,
II Block, Shastri Bhavan, No.26, Haddows Road,
Chennai - 6

..Appellant(s)

Vs

1. G.R. Rajashree
W/o.S.K.Srinivasan, No.1, Gandhi Street,
T.Nagar, Chennai-600017.
2. S.K.Srinivasan,
S/o.S.Kannan, Both Res. at NO.1, Gandhi
Street, T.Nagar, Chennai-600017.
3. Chennai Metropolitan Development Authority,
Rep. by its Member Secretary, No.1 Gandhi
Irwin Road, Egmore, Chennai-600 008.
4. The Commissioner
Corporation of Chennai, Ripon Buildings,
Chennai
5. Assistant Engineer/ Assistant
Executive Engineer, Town Planning Approval
Section, Regional Office South, Corporation of
Chennai, No.115, Dr.Muthu Lakshmi Salai,
Adyar, Chennai-20

..Respondent(s)

To set aside the Impugned Order dated 25-01-2023 passed in



W.P.No.20672 of 2016 and dismiss the Writ Petition.

For Appellant(s): Mr.AR.L.Sundaresan,
Additional Solicitor General of India
assisted by A.R.Sakthivel

For Respondent(s): Mr.M.Hariharan for R1 & R2
Mrs.P.Veena Suresh,
Standing counsel for CMDA/R3
Mr.E.C.Ramesh,
Standing counsel for
Chennai Corporation/ R4 & R5

JUDGMENT

(Judgment of the Court was delivered by S.M.Subramaniam J.)

Under assail is the writ order dated 25.01.2023 passed in W.P.No.20672 of 2016.

2. Salt Corporation of India is the appellant before this Court. Respondents 1 and 2 have initiated writ proceedings seeking a relief to accord building plan permission, based on the application submitted by the respondents 1 and 2. Since the writ Court not only directed the Chennai Corporation to consider the application, but directed the Corporation to grant building plan permission which resulted in filing of the present intra-Court Appeal.

3. Mr.AR.L.Sundaresan, learned Additional Solicitor General of India appearing on behalf the appellant would mainly contend that the subject land



belongs to Salt Corporation of India. Vast extent of land in a particular area belongs to the Salt Corporation of India and several encroachments were identified. S.No.337/9 belongs to appellant and in this context, the Salt Corporation of India had been suo-moto impleaded as a party in the writ proceedings. When a dispute regarding title exists, the writ Court ought not to have directed the Commissioner, Chennai Corporation, to grant building plan permission which would infringe the property right of the appellant Corporation.

4. Learned counsel appearing for the respondents 1 and 2 would oppose the above contention stating that in similar circumstances, a direction was given to the Salt Corporation to approach the Civil Court. Instead of approaching the Civil Court, they are raising objection in the present Appeal. Yet another case was also considered for grant of building plan permission. Thus, the Writ Appeal is to be rejected.

5. Learned Additional Solicitor General of India would submit that similar case in which a direction was granted was set aside by the Division Bench of this Court. Therefore, the respondents 1 and 2 cannot avail the order of the learned single Judge to secure a similar order.

6. This Court heard the parties to the lis.



7. If any title dispute exists between the parties, then the local authority may not grant building plan permission for construction. Preliminary documents are to be submitted between the parties and the Corporation Chennai has to examine the records and in the event of any dispute regarding title or ownership, then the competent authorities of Corporation, Chennai are bound to relegate the parties to approach the competent Civil Court for declaration of title in the manner known to law.

8. The Writ Court has not considered the counter filed by the appellant is one of the ground raised. It is contended that the subject land belongs to Salt Corporation of India. In such circumstances, the appellant is permitted to submit all the relevant documents to the Commissioner, Corporation of Chennai, to consider the same. The Commissioner, Corporation of Chennai, shall consider all the documents including the documents to be filed by the appellant Salt Corporation of India as well the documents already filed by the respondents 1 and 2 along with the application seeking building plan permission and take a decision whether any title dispute exists between the parties. If such title dispute exists, then the respondents 4 and 5 herein shall relegate the parties to approach the competent Civil Court of law to establish their civil rights in the manner known to law. However, the direction issued by the writ Court to grant building plan permission cannot be sustained. Therefore, the writ order dated 25.01.2023 is set aside.



9. In view of the above observation, both the appellant as well as the respondents 1 and 2 are at liberty to submit their respective documents to establish their rights before the respondents 4 and 5, who in turn, shall consider the same, if necessary by conducting enquiry by providing personal hearing to the parties and thereafter, take a decision on merits and in accordance with law. If any civil dispute regarding title exists in the opinion of the authorities, then the parties are to be relegated to approach the competent Civil Court to establish their civil rights in the manner known to law. Till such time the decision is taken, no building plan permission shall be granted in favour of the respondents 1 and 2 based on their application.

10. With the above observation, the Writ Appeal stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.S.,J.) (C.K.,J.)
09-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

VSI

To

1. The Member Secretary,
Chennai Metropolitan Development Authority,
No.1 Gandhi Irwin Road, Egmore, Chennai-600 008.
2. The Commissioner
Corporation of Chennai, Ripon Buildings, Chennai
3. Assistant Engineer/ Assistant Executive Engineer,
4. Town Planning Approval Section, Regional Office South, Corporation of
Chennai, No.115, Dr.Muthu Lakshmi Salai, Adyar, Chennai-20



WEB COPY

WA No. 1383 of 2



**S.M.SUBRAMANIAM, J.
AND
C.KUMARAPPAN, J.**

VSI

WA No. 1383 of 2023

09-02-2026