



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-04-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

Writ Petition No.13139 of 2026

and

W.M.P.Nos.14397 & 14398 of 2026

Vikas Seva Trust
Represented by its Chairman
Mr.A.Ramasamy,
Office at Uthukuli Road,
Koolipalayam,
Vavipalayam, Tirupur - 641 666.

..Petitioner

Vs

1. The District Collector,
Tiruppur.
2. The Member Secretary,
Tiruppur Local Planning Authority,
(LPA) Kumaran Shopping Complex,
First Floor, Near to Railway Station,
Tiruppur -641 601.
3. The Thasildar,
Uthukuzhli Taluk,
Tiruppur District.
4. The Block Development Officer,
Uthukuzhli Taluk,
Tiruppur District.
5. The Executive Officer and
Panchayat Special Officer,
Sarkar Periyapalayam Panchayat Union,
Uthukuzhli Taluk,
Tiruppur District.

..Respondents



Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents herein to consider the representation of the petitioner dated 08.10.2024 and accordingly, handover the OSR land gifted to the third respondent in accordance with G.O. Ms.No.161, Housing Development Department, dated 26.06.2013 as per the judgment of this Court in W.P.(MD).No.6331 of 2015 dated 28.10.2025.

For Petitioner : Mr.Dakshayani Reddy, Senior Counsel
for Ms.S.Suneetha

For Respondents : Ms.A.Bakkiyalakshmi
Government Advocate

ORDER

This writ petition has been filed seeking for a direction to the respondents to handover the OSR land gifted to the third respondent in accordance with G.O.Ms.No.161, Housing Development Department, dated 26.06.2013, as per the judgment of this Court in W.P.(MD) No.6331 of 2015 dated 28.10.2025.

2. According to the petitioner, which is running an educational institution, they had gifted the OSR land inadvertently despite the fact that as per G.O. Ms.No.161, Housing Development Department, dated 26.06.2013, there were no requirement for them to gift the OSR land. The petitioner had put up a compound wall to prevent water from the “Odai” to enter into the premises of the petitioner endangering the lives of the students. According to the petitioner,



the respondents are now attempting to demolish the compound wall put up by the petitioner despite the fact that the petitioner had gifted the OSR land to the third respondent by a registered gift deed as per the judgment of this Court dated 28.10.2025 passed in W.P.(MD) No.6331 of 2015. Since the respondents are insisting upon the demolition of the compound wall put up by the petitioner, the petitioner now seeks for re-conveyance of the OSR land gifted by the petitioner to the third respondent in favour of the petitioner. The petitioner had given a representation on 08.10.2024 to the respondents for the aforesaid purpose. Since the same has not been considered till date, the petitioner has filed this writ petition.

3. Learned Senior Counsel appearing for the petitioner also drew the attention of this Court to the proceedings of the fifth respondent dated 26.12.2025 calling upon the petitioner to remove the compound wall.

4. Ms.A.Bakkiyalakshmi, learned Government Advocate, accepts notice on behalf of the respondents.

5. No prejudice would be caused to the respondents if the petitioner's representation, as stated supra, is considered on merits and in accordance with law within a time frame to be fixed by this Court. This Court is not expressing any opinion on the merits of the petitioner's representation.



6. Since the petitioner categorically claims that there is no requirement for the petitioner to execute a gift deed for the OSR land and inadvertently, had executed the said gift deed, this Court, to protect the interest of the petitioner till a final decision is taken by the respondents on the petitioner's representation, is of the considered view that the respondents shall not demolish the compound wall put up by the petitioner till a final decision is taken on the petitioner's representation dated 08.10.2024, which is the subject matter of this writ petition.

7. For the foregoing reasons, this Court directs the respondents 1 and 2 to pass final orders on merits and in accordance with law on the petitioner's representation dated 08.10.2024 requesting them to handover the OSR land gifted by the petitioner to the third respondent in accordance with G.O.Ms.No.161, Housing Development Department, dated 26.06.2013, as per the judgment of this Court in W.P.(MD) No.6331 of 2015 dated 28.10.2025 within a period of four (4) months from the date of receipt of a copy of this order. Till final orders are passed by the respondents 1 and 2, the respondents are directed not to demolish the compound wall put up by the petitioner, which is the subject matter of the proceedings dated 26.12.2025.



This writ petition is disposed of with the above directions. No costs.

Consequently, connected miscellaneous petitions are closed.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

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ABDUL QUDDHOSE, J.

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