



WEB COPY

WP No. 33114 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-02-2026

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THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

WP No. 33114 of 2016

and

W.M.P.No.28600 of 2016

1. R.Ponnusamy
2. P.Subbathal
3. C.R.P.Manoharan

..Petitioner(s)

Vs.

1. The State of Tamil Nadu
Rep by its Secretary, Municipal Administration
and Water Supply, Fort St. George, Chennai-9
2. The Secretary to Government,
Housing and Urban Development Department,
Fort St. George, Chennai-9
3. The Commissioner
Corporation of Coimbatore,
Coimbatore- 641 001
4. The Member Secretary,
Coimbatore Local Planning Authority,



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along with the owners of the property situated in S.Nos.409 and 410, developed a lay-out to the extent of 17.27 acres. They had applied and obtained lay-out approval from the fourth respondent. The total number of plots in the lay-out is 173. As required for development of the lay-out, the petitioners have to execute a gift deed for area demarcated for roads, Open Space Reserve, etc., over the property purchased by them in S.Nos.411 and 415. The extent occupied road is 1 acre 46 cents. The petitioners had executed a gift deed for this extent in favour of Vadavalli Village Panchayat on 20.04.1988.

2. The property being adjacent to a reserve forest, it led to frequent man-animal conflicts. Hence, the plots abutting this area, could not be alienated. Consequently, the petitioners started agricultural activities over the area for which they have executed the gift deed in favour of the Vadavalli Village. On coming to know of the same, the Panchayat called upon them to remove the encroachments over the areas considered as road. The petitioners filed a Writ Petition in W.P.No.35931 of 2015 challenging the notice. This Court deferred the proceedings till the petitioners' appeal before the State Government seeking revision of layout plan, is disposed of.

3. By the order impugned in this Writ Petition, the petitioners' appeal seeking revision of the lay out, has been rejected. The ground for rejection being the other purchasers in the lay-out, had acquired right over the road portion and hence, the request of the petitioners for modification of the approved plan, cannot be entertained. Challenging the same, the present Writ



Petition is filed.

4. Heard the learned counsel for both sides. Perused the materials available on record.

5. On a reading and perusing the papers, it reveals that the petitioner has executed a gift deed for the roads laid over S.Nos.411 and 415 in favour of the Vadavalli Panchayat. This was as early as in 1988. On the date the petitioners sought revision of the lay out plan, the petitioners were not the owners of the property. The petitioners cannot seek revision of the layout with respect to the area for which they are not the owners. When the petitioners do not have title to the road ,to seek modification of the lay out plan, which they have obtained in the year 1986, after a lapse of 24 years, certainly, cannot be entertained. As pointed out in the impugned order, the third parties have purchased certain extents of lands in the layout. They are already in possession of those plots. They have also secured vested right over the same. Without their consent, the layout cannot be revised to their detriment.

6. For all the above reasons, I do not find any reason to interfere with the impugned order. Hence, this Writ Petition is dismissed. There shall be no order as to costs. Consequently, the miscellaneous petition is closed.

17-02-2026

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

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1. The State of Tamil Nadu

Rep by its Secretary, Municipal Administration and Water Supply, Fort St.
George, Chennai-9

2. The Secretary to Government,

Housing and Urban Development Department, Fort St. George, Chennai-9

3. The Commissioner

Corporation of Coimbatore,
Coimbatore- 641 001

4. The Member Secretary,

Coimbatore Local Planning Authority, Coimbatore- 641 012

5. The District Forest Officer,

Coimbatore.



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V. LAKSHMINARAYANAN, J.

CS

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