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W.A.No.1023 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.04.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

WA No.1023 of 2026
and CMP No.10416 of 2026

Tracy Alison Skoles,
W/o. Jonah Skoles,
No.1, Pillar Koil Street,
Ganapathychettikulam, Calapet,
Puducherry-605014.

Appellant(s)

Vs

1. Chairperson of Governing Board
Auroville Foundation, Auroville,
Tamil Nadu - 605101.
2. Auroville Foundation Office,
Rep by its Secretary,
Auroville Foundation, Auroville,
Tamil Nadu - 605101.
3. Officer on Special Duty,
Auroville Foundation,
Auroville Foundation Bhavan,
Auroville, Tamil Nadu - 605101.

Respondent(s)



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PRAYER: Appeal filed under Clause 15 of the Letters Patent to set aside the order dated 06.03.2026 passed by the learned Judge in W.P.No.8543 of 2026.

For Appellant(s): Mr.P.V.Balasubramanian
Senior Counsel
for Mr. Ramesh Kumar Chopda

For Respondent(s): Mr.AR.L.Sundaresan
Additional Solicitor General of India
Assisted by
Mr.Vaibhav R.Venkatesh
for R2 and R3

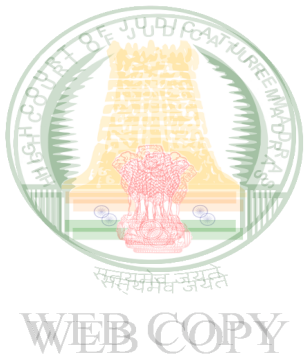
JUDGMENT
(Delivered by the Hon'ble Chief Justice)

This appeal is filed assailing the order dated 06.03.2026 passed by the learned Judge in W.P.No.8543 of 2026.

2. The appellant herein filed writ petition seeking to quash the Board Resolution passed in the 66th Meeting of the Governing Board dated 13.2.2024 of the first respondent and the consequent email dated 17.2.2026.

3. The learned Single Judge, by order dated 6.3.2026, dismissed the writ petition. The relevant portion of the said order reads thus:

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"23. For the reasons aforesaid, this writ petition fails and the same is dismissed. However, liberty is granted to the petitioner and other residents who are permissive occupants who have been in occupation of the lands and who have put up construction on the basis of the permission accorded by the Foundation from out of their own funds and to give appropriate representation for grant of permission to continue their accommodation in the said place or for allotment of some other dwelling unit and if such a representation is filed, it is open to the respondents/Governing Board to consider the same and pass appropriate orders either granting to continue their permissive accommodation within the said place or allot dwelling unit at any other place for the occupation of the petitioner and other residents and to that effect orders shall be passed within a period of four weeks from the date of receipt of the said representation. Interim order of stay granted by this Court stands vacated and consequently, connected miscellaneous petitions, including the stay petitions are closed. There shall be no order as to costs."

4.1. Learned Senior Counsel appearing on behalf of the appellant submitted that the term of the Governing Board ended on 1.10.2025 and, therefore, the representation submitted by the appellant pursuant



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to the aforesaid direction issued by the learned Single Judge cannot be considered by the Governing Board.

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4.2. It is further submitted that the learned Single Judge failed to address the core legal issue as to whether the impugned action was undertaken in accordance with law and statutory procedure, and instead disposed of the writ petition without granting effective relief or protection, rendering the remedy illusory.

5.1. Learned Additional Solicitor General appearing on behalf of respondent Nos.2 and 3 submitted that by virtue of Notification dated 29.6.2016 issued by the Ministry of Human Resource Development, the second respondent herein, viz., The Secretary, Auroville Foundation, was appointed as Estate Officer and conferred with the power to perform the duties in respect of public premises, viz., premises belonging to, or taken on lease or requisitioned by or on behalf of the Auroville Foundation, Auroville, Tamil Nadu.

5.2. He further submitted that the representation made by the appellant pursuant to the order passed by the learned Single Judge is



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pending consideration and without awaiting the outcome of the said proceedings, the appellant in haste has preferred this appeal. He added that the representation of the appellant shall be considered by the second respondent in accordance with law and appropriate orders shall be passed.

6. We have heard learned counsel for the parties and perused the documents filed.

7. The learned Single Judge while dismissing the writ petition has granted liberty to the appellant and other residents, who are permissive occupants; who have been in occupation of the lands; and who have put up construction on the basis of the permission accorded by the Foundation from out of their own funds, to give appropriate representation for grant of permission to continue their accommodation in the said place or for allotment of some other dwelling unit. It was further directed that it is open to the respondents/Governing Board to consider the same and pass appropriate orders either to continue their permissive accommodation within the said place or allot dwelling unit at any other place for the occupation of the appellant and other residents. Such orders were



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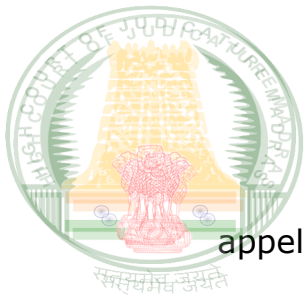
directed to be passed within a period of four weeks from the date of receipt of the said representation.

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8. Admittedly, the appellant has sent representation to the respondents in compliance with the direction of the learned Single Judge. The plea now raised by the appellant is that the tenure of the Governing Board ended on 1.10.2025 and, therefore, the representation submitted by the appellant pursuant to the aforesaid direction issued by the learned Single Judge cannot be considered by the Governing Board.

9. It is apparent from a bare perusal of the Notification dated 29.6.2016 issued by the Ministry of Human Resource Development that the Secretary, Auroville Foundation, was appointed as Estate Officer and conferred with the power to perform the duties in respect of public premises, viz., premises belonging to, or taken on lease or requisitioned by or on behalf of the Auroville Foundation, Auroville, Tamil Nadu.

10. Learned Additional Solicitor General submitted that the second respondent/Secretary shall consider the representation of the



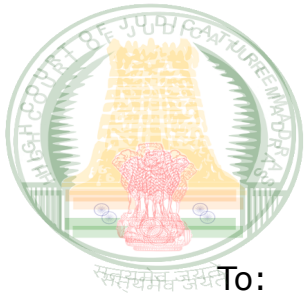
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appellant and pass a speaking order and communicate the same to the appellant forthwith.

In view of the aforesaid submission, we dismiss the writ appeal with a direction to the second respondent to consider the representation of the appellant and pass appropriate orders on merits and in accordance with law within a period of two weeks from the date of uploading of this order. There shall be no order as to costs. Consequently, interim application stands closed.

(SUSHRUT ARVIND DHARMADHIKARI,CJ) (G.ARUL MURUGAN,J)
28.04.2026

Index : Yes/No
Neutral Citation : Yes/No
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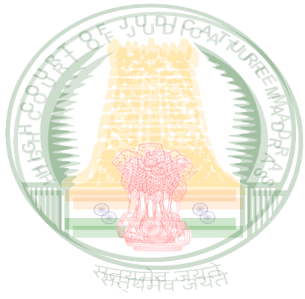


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To:

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1. Chairperson of Governing Board
Auroville Foundation, Auroville,
Tamil Nadu - 605101.
2. The Secretary,
Auroville Foundation Office,
Auroville Foundation, Auroville,
Tamil Nadu - 605101.
3. Officer on Special Duty,
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THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN,J.

(sasi)

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