



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-06-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

**WP Nos. 14958, 14961 of 2020 , S.A.No. 459 and 461 of 2020
and WMP Nos. 18597 ,18600 OF 2020, 18604 and 18605 of 2020 and
CMP.No.9773 and 9778 of 2020**

W.P.No.14958 of 2020

Anbazhagan
S/o.late Govindan, 25/4, Pudur East Street,
Mettuchakara Kuppam Village, Jolarpet,
Tirupathur District.

..Petitioner(s)

Vs

1. Commissioner
Jolarpet Municipality , Tirupathur.
2. Sivagami
D/o.Samban, Periya Kudumbar Street,
Kothakottaimadura, Vaniambadi,
Vellore District.

..Respondent(s)

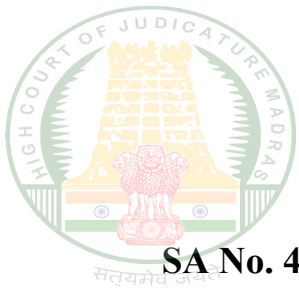
WP No. 14961 of 2020

Mayakrishnan
S/o.late Govindan, 25/1, Pudur East Street,
Mettuchakara Kuppam Village, Jolarpet,
Tirupathur District.

..Petitioner(s)

Vs

1. Commissioner
Jolarpet Municipality , Tirupathur.
2. Sivagami
D/o.Samban, Periya Kudumbar Street,
Kothakottaimadura,
Vaniambadi,Vellore District.



..Respondent(s)

SA No. 459 of 2020

Anbazhagan

S/o. Late. Govindan, 25/4, Pudur East Street,
Mettuchakarakuppam Village, Jolarpet, Tirupathur
Circle,
Vellore Dt.

..Appellant(s)

Vs

1. Commissioner
Jolarpet Municipality, Jolarpet.
2. Sivagami
D/o. Samban, Periya Kudumbar St,
Kothakottaimadura,
Vaniambadi Circle,
Vellore District.

..Respondent(s)

SA No. 461 of 2020

Mayakrishnan

S/o. Late. Govindan, 25/1, Pudur East Street,
Mettuchakarakuppam Village, Jolarpet,
Tirupathur Circle, Vellore Dt.

..Appellant(s)

Vs

1. Sivagami
D/o. Samban, Periya Kudumbar St,
Kothakottaimadura, Vaniambadi Circle,
Vellore District
2. Commissioner
Jolarpet Municipality,
Tirupathur.

..Respondent(s)

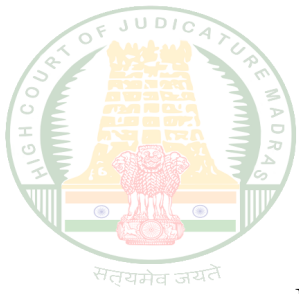


Prayer in W.P.No.14958 of 2020: Writ Petition filed under Article 226 of Constitution of India seeking for issuance of Writ of Certiorari calling for the records pertaining to proceedings in Na.Ka.No. 656/ F1- 2020- 1 dated 25.9.2020 issued by the 1st respondent and quash the same.

Prayer in WP No. 14961 of 2020: Writ Petition filed under Article 226 of Constitution of India seeking for issuance of Writ of Certiorari calling for the records pertaining to proceedings in Na.Ka.No. 656/ F1- 2020- 2 dated 25.9.2020 issued by the 1st respondent quash the same.

Prayer in SA No. 459 of 2020: Second Appeal filed under Section 100 of Civil Procedure Code against the decree and judgement dated 20.03.2020 in A.S No.19 of 2016 on the file of Subordinate Court, Thiruppathur, Vellore District confirming the decree and judgment dated 01.04.2016 in OS No.107 of 2014 on the file of District Munsif Court, Thiruppathur, Vellore District

Prayer in S.A No. 461 of 2020 : Second Appeal filed under Section 100 of Civil Procedure Code against the decree and judgement dated 20.03.2020 in AS No.52 of 2017 on the file of Subordinate Court, Thiruppathur, Vellore District reversing the decree and judgment dated 18-09-2017 in OS No.108 of 2014 on the file of District Munsif Court, Thiruppathur, Vellore District.



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For Petitioners and
Appellants
(in both W.P.'s):

Mr. R.Subramanian

For Respondents:
(in both W.P.'s and
S.A.'s)

Mr. T.Sundaravadanam (R2)
Mr.C.Prabakaran (R1)

Common Order

The Writ Petitions have been filed challenging the proceedings dated 25.9.2020 issued by the 1st respondent and to quash the same.

2. Second Appeal No. 459 of 2020 has been filed against the decree and judgement dated 20.03.2020 in A.S No.19 of 2016 on the file of Subordinate Court, Thiruppathur, Vellore District confirming the decree and judgment dated 01.04.2016 in OS No.107 of 2014 on the file of District Munsif Court, Thiruppathur, Vellore District

3. Second Appeal No. 461 of 2020 has been filed against the decree and judgement dated 20.03.2020 in AS No.52 of 2017 on the file of Subordinate Court, Thiruppathur, Vellore District reversing the decree and judgment dated 18-09-2017 in OS No.108 of 2014 on the file of District Munsif Court, Thiruppathur, Vellore District.



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2. The Second Appeals have been preferred by the petitioners. The learned counsel for the writ petitioners/appellants would submit that the petitioners/appellants obtained the building permission with respect to suit schedule property and the same was cancelled by the 1st respondent vide impugned orders dated 25.09.2020. However, he would submit that the petitioner filed the suit for declaration in O.S.No.45 of 2026 on the file of the District Munsif Court, Thirupattur in respect of the Will executed in favour of the petitioners/appellants and therefore liberty may be given to the petitioners to canvass the issues raised herein in the said suit.

3. In view of the said submissions made by the learned counsel for the writ petitioners/appellants, the Writ Petitions stands dismissed with liberty to the petitioners to canvass the issues raised in the writ petitions in the suit in O.S.No.45 of 2006. It is made clear that if the petitioners/appellants succeeds in the said suit, they are permitted to make fresh application for building permission.



4. In view of the above, the Second Appeals are closed. No costs.

Consequently, connected Miscellaneous Petitions are closed.

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To

1. Commissioner
Jolarpet Municipality , Tirupathur.
2. The District Munsif,
Tirupathur.
- 3.The Subordinate Court,
Tiruppathur.



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WP Nos. 14958, 14961 of 2020 , S.A.No. 459 and 461 of 2



M.DHANDAPANI J.

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WP Nos. 14958, 14961 of 2020 , S.A.No. 459 and 461 of 2020

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WP Nos. 14958, 14961 of 2020 , S.A.No. 459 and 461 of 2

