



W.A.No.669 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.02.2026

CORAM :

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.A.No.669 of 2025

T.S. Ravichandran
No.10, Anjaneyar Koil Street
Poonamallee, Tiruvallur
District-600 056

Appellant(s)

Vs

1. P. Sundaram
S/o. late Perumal Chetty,
No.47,23, Gangai Amman Kovil Street
Kavalcherry Village
Poonamallee Taluk
Thiruvallur District.
2. State of Tamil Nadu
Rep by its Secretary to Government
Revenue Department
Fort. St.George
Chennai-09
3. The Special commissioner and
Commissioner of Urban Land Ceiling
Chepauk
Chennai-05.



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4. The Competent Authority
(Urban land Ceiling and Assistant Commissioner)
(Urban Land Tax)
Poonamallee Taluk
Thiruvallur District
Chennai-56.

Respondent(s)

Prayer : Appeal under Clause 15 of the Letters Patent seeking to set aside the order dated 23.07.2008 in WP No.13174 of 2006.

For Appellant(s): Ms. S.Akila

For Respondent(s): Mr. P.Subba Reddy for R1
Mr. M.Habeeb Rahman
Government Advocate for R2 to R4

ORDER

(Order of the Court was made by
the Hon'ble Chief Justice)

After seeking leave, this appeal has been filed by appellant, who was not party to the writ proceedings.

2. Learned counsel for appellant would submit that first respondent filed writ petition challenging the land acquisition proceedings, claiming himself to be the title holder and owner of land comprised



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in S.Nos.341/2B, 342/1, 342/2, 342/3, 343/1A and 341/1 admeasuring 20450 sq.mtrs. situated in Kavalchery Village, Poonamallee Taluk, Chennai. It is submitted that writ petitioner made a false claim in the writ petition suppressing that lands comprised in S.Nos.342/1, 342/2 and part of 342/3 were allotted to the share of appellant's father-in-law, Mr.Nandagopal by way of partition, vide partition deed dated 05.11.1982, which was registered on 09.11.1982.

3. Due to various disputes being raised and interference with the peaceful enjoyment and possession, appellant has filed a suit in the Court of District Munsif at Poonamallee registered as O.S.No.164 of 2021 (R.Kumudhini v. P.Sundaram and others). In the said suit, writ petitioner, who is one of the dependants therein, is claiming that this Court and the Supreme Court have declared his title over these lands, whereas, the writ Court was approached assailing the correctness and validity of the land acquisition proceedings drawn under Urban Ceiling Act, without involving any issue of title over the properties mentioned in the writ petition.



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Therefore, the order passed by learned Single Judge, to the extent it declares the first respondent/writ petitioner as the owner of the land, is liable to be recalled and the writ petition is also required to be heard after impleading the present appellant as party in the writ proceedings.

4. According to learned counsel for first respondent, the claim of title by appellant has no legal basis and he has taken a clear stand and defence in the pending suit that though partition is admitted, the land was surrendered in favour of first respondent by the father-in-law of appellant.

5. We find that the writ Court passed an order in favour of first respondent/writ petitioner in the matter of challenge to the proceedings under the Urban Ceiling Act. The order does not show that it involved adjudication of title to any party. The land acquisition proceedings were assailed and writ petition was decided in favour of first respondent. Against that order, an appeal was preferred and the appellate Court, in intra Court appeal, affirmed



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the order and SLP was also dismissed.

6. We are of the view that even though appellant has an arguable case, this is not the forum where the order passed earlier by the writ Court can either be recalled or modified. Appellant's remedy lies in seeking appropriate relief elsewhere and not by separate writ appeal.

7. Appeal is, therefore, dismissed as not maintainable. We make it clear that we have not decided the appeal on merits. In case appellant approaches appropriate forum through appropriate proceedings, the issue raised in this appeal may be raised for consideration and decision on merits. There shall be no order as to costs.

(MANINDRA MOHAN SHRIVASTAVA, CJ) (G.ARUL MURUGAN,J)
11.02.2026

Index : Yes/No
Neutral Citation : Yes/No
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THE HON'BLE CHIEF JUSTICE
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