



WEB COPY

WP No. 28441 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-03-2026

CORAM

THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 28441 of 2022

C.Jambulingam

..Petitioner(s)

Vs.

1. The Deputy Director,
Town and Country Planning,
District Town Planning,
No. 33/95, Kotarampalayam Street,
Old Employment Office,
Kancheepuram- 631 501.

2. Sivasubramanian,

..Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of writ of mandamus, directing the 1st Respondent to implement the orders passed in Na.Ka.No.1325/2022/Ka.Ma.3 dated 02.06.2022 within the time stipulated by this Honble Court.

For Petitioner(s):

Mr.Adinarayana Rao

For Respondent(s):

Mr.P.Ganesan
Government Advocate for R1

Ms.G.Saranya for R2

**ORDER**

This Writ Petition has been filed seeking issuance of writ of mandamus directing the 1st Respondent to implement the orders passed in Na.Ka.No.1325/2022/Ka.Ma.3 dated 02.06.2022.

2. The learned counsel appearing for the petitioner would submit that the petitioner's land is situated in Survey No.293/6 to an extent of 19 cents of land, adjacent to the canal. According to the petitioner, without providing any access to the land, the lay out was formed by the 2nd respondent and he would further submit that Clause-4(4) of the restrictions for regularization of unapproved plots and lay out rules issued vide G.O.Ms.No.78 is violated. Therefore, he made a representation before the 1st respondent regarding access to his land. The 1st respondent also directed the 2nd respondent to provide revised plan by virtue of the letter dated 02.06.2022. However, till date, the 2nd respondent has not revised any plan. Hence, the present writ petition is filed.

3. The learned Government Advocate appearing for the 1st respondent would submit that already after receiving representation from the petitioner, the 1st respondent sent a communication to the 2nd respondent to provide a revised plan. Since the 2nd respondent has not provided the revised plan, the 1st respondent is not in a position to pass any orders. The learned Government Advocate for the 1st respondent by referring paragraph 8 of the counter affidavit



would submit that the 1st respondent duly discharged it's duty as per the law and there is a 20 feet road available leading towards North to South direction. The said 20 feet road is a direct access to the land to the S.No.293/7. Through S.No.293/7, the petitioner may get access to his land in Survey No.293/6. However, the learned counsel for the petitioner would submit that he cannot avail any access from Survey No.293/7 and he can have the access from the 2nd respondent lay out alone.

4. Heard the learned counsel appearing for the petitioner as well as the respondents and perused the papers available on record.

5. Upon perusal of the papers, it appears that upon receipt of the representation from the petitioner, the 1st respondent issued a letter to the 2nd respondent on 02.06.2022 for a revised plan. However, for the allegations levelled in the writ petition, the 1st respondent filed a counter stating that officials duly discharged their duties and in paragraph 8, they have stated the petitioner can have access through S.No.293/7. Upon perusal of the map, it is seen that there is a canal adjacent to S.No.293/6. From the canal, if over bridge is laid then, the petitioner can have access to the 20 feet road. That apart, the question of not providing access by the 2nd respondent could not arise as the 2nd respondent had already provided seven access. As much as possible, the 2nd respondent have taken every steps and provided access to seven places.



6. As rightly pointed out, the petitioner can access through S.No.293/7.

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In the event any access is not available, this Court can interfere with the approved plan already made. However, in seven places access was provided therefore, it is not proper to modify the lay out plan as already approved. The petitioner can very well have access through the canal to the 20 feet road in Survey No.293/7 as observed in paragraph 8. Therefore, this Court does not find any merits in the writ petition and the same is accordingly, dismissed. No costs.

7. In the event any representation is made with regard to the provision of pathway through the canal, the concerned authority is directed to consider the same and provide access to the petitioner's land.

26-03-2026

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

KKN

To



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1. The District Town District



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KRISHNAN RAMASAMY, J.

KKN

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