



W.P.No.33935 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.01.2026

CORAM :

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.33935 of 2025
and W.M.P.Nos.38075 and 39357 of 2025

R.Mohala
W/o.Basker Jayasingh,
Door No.84, 85, Kumbakonam Road,
Panruti, Cuddalore District.

Petitioner

Vs

1.The Principal Secretary To Government
State of Tamil Nadu,
Housing and Urban Development
Department,
Secretariat, Fort St. George,
Chennai-600 009

2.The Director
Town and Country Planning Department,
II, III and IV Floor, CMDA Building,
E and C Market Road,
Koyambedu, Chennai-600 107.

3.The Assistant Director
Town and Country Planning Department,
34, Tamizhmuthu Nagar, Gondur,
Cuddalore.



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4.The Commissioner
Panruti Municipality, Panruti.

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Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the 2nd respondent to grant a building plan approval in favour of the petitioner pursuant to the petitioner's application dated 24.07.2025 bearing application number 435506-2025-UG for the building projected to be developed in the property comprised in Old S.No.98/27, situated in Ward-A, Block No.50, Door Nos.84, 85, 86, 86A measuring an extent of 5040 sq.ft., situated in Panruti Municipality.

For Petitioner: Mr.K.R.Arun Shabari

For Respondents: Mr.K.Karthik Jagannath
Government Advocate
for respondent Nos.1 to 3

Mr.P.Srinivas
Standing Counsel
for respondent No.4

ORDER

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

Heard learned counsel for the parties.



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2. The submission of learned counsel for the petitioner is that after she lost the matter in all Courts, even up to the Apex Court, the deviated portion was demolished and now she has applied afresh for new construction.

3. It is apparently clear that the illegal/deviated construction, despite challenge, was not interfered with and SLP was also dismissed. Once the entire deviated construction is removed, it is always open for the petitioner to apply afresh for new construction. If any such application, after removal of all the deviated construction, is made, respondent Nos.3 and 4 shall consider and take a decision on the same in accordance with law.

4. With the above observation, the writ petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

(MANINDRA MOHAN SHRIVASTAVA, CJ) (G.ARUL MURUGAN,J)
09.01.2026

Index : Yes/No
Neutral Citation : Yes/No
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To:

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THE HON'BLE CHIEF JUSTICE
AND
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