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W.P.No.1197 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2026

CORAM

THE HONOURABLE MR. JUSTICE V.LAKSHMINARAYANAN

W.P.No.1197 of 2026
and W.M.P.No.1399 of 2026

1.A.Vijayarajavarman,
11G, 1, R.S.K.Crystal,
Sathiyamoorthi Veedhi,
Sai Baba Colony,
Coimbatore – 641 025.

2.A.Siddhardh,
11G, 1, R.S.K.Crystal,
Sathiyamoorthi Veedhi,
Sai Baba Colony,
Coimbatore – 641 025.

Both the above Principals are represented
by their Power Agent K.Asokan,
S/o.P.Kaliamoorthy,
11G, 1, R.S.K.Crystal,
Sathiyamoorthi Veedhi,
Sai Baba Colony,
Coimbatore – 641 025.

..Petitioners

Vs.

1.The Principal Secretary,
Housing and Urban Development Department,
Secretariat,
Chennai – 9.

2.The Assistant Director,
Office of the District Town and Country Planning,

Page No.1 of 9



W.P.No.1197 of 2026

Door No.306, 307 & 308,
(3rd Floor), Annexure Building,
Office of the District Collector,
Thiruvavarur District.

3.The Block Development Officer,
Mannargudi – 641 001,
Thiruvavarur District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for records relating to the order passed by the respondent herein in Na.Ka.No.841/2025 TVR dated 25.11.2025 and quash the same as illegal and consequently direct the respondent herein to regularise the plan layout, relating to the properties in S.Nos.34/1 and 34/2 measuring an extent of 5.01 acres of house site properties totalling 2, 18, 436 sq.ft. Consisting of 94 plots, in Muthal Sethi Village, Mannargudi Taluk, Thiruvavarur District in accordance with the provisions of G.O.(Ms)No.78 dated 04.05.2017 of Regularisation of Unapproved Plots and Layouts Rules, 2017 and the Town and Country Planning Act.

For Petitioners : Mr.Ashok -Party-in-person

For Respondents : Mr.L.S.M.Hasan Faizal for R1 & R2
Additional Government Pleader

Mr.C.Sathish for R3
Government Advocate



W.P.No.1197 of 2026

ORDER

Heard Mr.Asokan party-in-person for the petitioners, Mr.L.S.M.Hasan Faizal, learned Additional Government Pleader for respondents 1 and 2 and Mr.C.Sathish, learned Government Advocate for the 3rd respondent.

2.The petitioner challenges the proceedings of the 2nd respondent, whereby the application filed for regularization of a layout in S.Nos.34/1 and 34/2 in Muthal Sethi Village, Mannargudi Taluk, Thiruvarur District, came to be rejected.

3.The property aforesaid belonged to one Kaliyamoorthy. The petitioners are his grandsons. The said Kaliyamoorthy, out of natural love and affection, executed a Settlement Deed in their favour on 27.08.2015. Kaliyamoorthy had purchased the aforesaid property by way of a registered Sale Deed dated 16.05.2004 from its previous owners, namely,

- i) S.Aaravamudhan,
- ii) S.Raghavan and
- iii) S.Rengarajan.



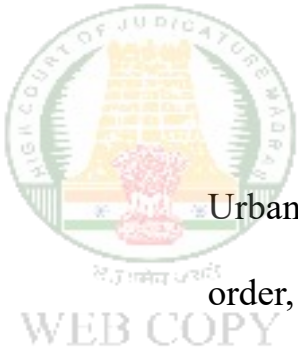
W.P.No.1197 of 2026

4.The same was registered on 24.05.2004 in Document No.1057/2024. The said Kaliyamoorthy had, even before the settlement, laid out the property into housing plots. The layout had not been approved by the Directorate of Town and Country Planning.

5.The petitioners herein, executed a Settlement Deed in favour of their mother, Vijayamangaiyarkarasi, on 23.08.2023. The same was presented for registration. However, pointing out the amendment made to Section 22A of the Registration Act, 1908, the Sub-Registrar refused to register the Settlement Deed. Aggrieved by the same, the petitioners preferred a Writ Petition before this Court in W.P.No.21480 of 2024.

6.By an order dated 30.07.2024, the order refusing registration of the document was set aside and the document was directed to be registered. Accordingly, the Settlement Deed was registered in Document No.1069 of 2025. The State Authorities, aggrieved by the order in W.P.No.21480 of 2024, preferred a Writ Appeal in W.A.No.1540 of 2025. A Division Bench of this Court allowed the Writ Appeal and set aside the order of the learned Single Judge on 15.09.2025. The Division Bench pointed out that it is open to the petitioners herein to file an application for regularization of the layout in terms of G.O.(Ms).No.78, Housing and

Page No.4 of 9



W.P.No.1197 of 2026

Urban Development [UD4(3)] dated 04.05.2017. Consequent to this order, the petitioners herein filed an application before the 2nd respondent seeking regularization. This application for regularization was rejected under the impugned order. Hence, the Writ Petition.

7.The aforesaid facts are not in dispute. The only ground on which the application for regularization has been rejected is that the writ petitioners have not produced a Sale Deed for the property. In terms of Rules 2(10) and 2(12) of the regularization rules, a person who has a Title Deed in his favour, is entitled to file an application for regularization, provided the document had been registered before 20.10.2016. The cutoff date for filing of an application is given under Rule 3 of the aforesaid rules.

8.A perusal of the definition under Rule 2(10) shows that a “Layout Promoter” has been defined widely, and it includes a person, whether owner or any authorized person, who has developed land into a layout for selling the same as plots. Under Rule 2(12), a “Plot Holder” is defined as anyone holding a registered Sale Deed or **Title Deed** for a plot executed prior to October 20, 2016.

Page No.5 of 9



W.P.No.1197 of 2026

9.It is not in dispute that Kaliyamoorthy had purchased the property by way of a registered Sale Deed from the previous owners as early as on 16.05.2004. This Sale Deed is the Parent Deed for the writ petitioners. Kaliyamoorthy executed a Settlement Deed in favour of the petitioners by way of a registered document on 27.08.2015. By virtue of this document, the petitioners took possession and became owners of the property. Even if the Settlement Deed is not to be considered as a Sale Deed, it would nevertheless be a Title Deed, within the meaning of Rule 2(12) of G.O.(Ms).No.78, Housing and Urban Development [UD4(3)] dated 04.05.2017.

10.The purpose of the Government Order was to enable persons who have come about layouts, by way of a registered document, to get the same regularized and avoid any complications that may arise therefrom. Kaliyamoorthy, during his lifetime, had not alienated the property in favour of any third party. Hence, the question of having a Sale Deed for the property from Kaliyamoorthy in favour of a third party does not arise. The Settlement Deed, being the Title Deed for the petitioners, they are certainly entitled to maintain an application for regularization. I would also look at the petitioners as the legal representatives of Kaliyamoorthy and thereby making a claim to the

Page No.6 of 9



W.P.No.1197 of 2026

property through the sale that had been executed in his favour by the previous vendors.

11.Looking at it either way, the rejection of the application for regularization is untenable. The 2nd respondent has not considered the provisions of Rules 2(10) and 2(12), which enable a person who has a Title Deed to file an application for regularization. The only ground for rejection being the lack of a Sale Deed cannot be sustained in the light of the above discussion. Consequently, the Writ Petition stands allowed. The impugned order is quashed.

12.The proceedings stand restored onto the file of the 2nd respondent. The 2nd respondent shall calculate the regularization fee that the petitioners would have to pay. On collection of the same, G.O. (Ms).No.78, Housing and Urban Development [UD4(3)] dated 04.05.2017 shall be applied, and the relief of regularization shall be granted to the petitioners. No costs. Consequently, connected miscellaneous petition is closed.

12.02.2026

Index : Yes / No
Speaking Order : Yes / No
Neutral Citation : Yes / No
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Page No.7 of 9



W.P.No.1197 of 2026

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WEB COPY



W.P.No.1197 of 2026

V.LAKSHMINARAYANAN, J.

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W.P.No.1197 of 2026

12.02.2026

Page No.9 of 9