



W.P.(MD)No.3100 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 02.02.2026

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.3100 of 2023

and

W.M.P.(MD).No.2884 of 2023

S.Ayyappan

...Petitioner

Vs

1.The Assistant Director of Town and Country Planning,
Karur District, Karur.

2.The Block Development Officer,
Thirukadudurai Panchayat Union,
Karur District, Karur.

3.The President,
Thirukadudurai Panchayat,
Karur District, Karur.

4.The District Collector,
Karur District, Karur.

5.The Tahsildar,
Pugalur Taluk, Karur District.

6. Kaliyammal

7.S.K.Karthik

...Respondents



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(Respondent No.6 impleaded vide order of this Court dated 23.08.2023 in W.M.P.(MD).No.16319 of 2023 in W.P.(MD).No.3100 of 2023)

(Respondent No.7 impleaded vide order of this Court dated 02.02.2026 in W.M.P.(MD).No.54 of 2024 in W.P.(MD).No.3100 of 2023)

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to implement the Rule 8(c) of the Tamil Nadu Regularization of Unapproved Plots of Layouts Rules, 2017 in pursuance of the order dated 01.03.2019 made in Na.Ka.Aa2/3959/2018 passed by the second respondent in favour of the petitioner under the Tamil Nadu Regularization of Unapproved Plots of Layouts Rules, 2017, by suo-moto taking over the roads for maintenance under the appropriate provision of the local bodies Act and Rules and consequently directing the respondents to forward the copy of in principal approved layout frame work to the fifth respondent along with required documents to carry out mutation in the revenue records especially in respect of open space reservation and rules as per the Rule 8(12) of the Regularization of Unapproved Plots of Layouts Rules, 2017, in pursuance of the order dated 01.03.2019 made in Na.Ka.Aa2/3959/2018 passed by the second respondent in favour of the petitioner under the Tamil Nadu Regularization of Unapproved Plots of Layouts Rules, 2017, within stipulated time frame fixed by this Court.

For Petitioner : Mr.N.Shanmugaselvam

For R-1 to R-5 : Mr.M.Senthil Ayyanar,
Government Advocate

For R-6 : No Appearance

For R-7 : Mr.R.Ponkarthikeyan



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ORDER

The present writ petition has been filed seeking a mandamus directing the respondents to implement Rule 8(c) of the Tamil Nadu Regularization of Un-approved Plots of Layouts Rules, 2017.

2. An un-approved plot lay out was created in the private property of the sixth respondent having an extent of 1.25 acres in Survey No.32/5, Thirukaduthurai Panchayat, Pugalur Taluk, Karur District. Totally, there were 14 plots. The petitioner has purchased Plot No.1. The petitioner availed the benefit of regularization under the Tamil Nadu Regularization of Un-approved Plots of Layouts Rules, 2017 and his plot was regularized by the proceedings of the second respondent, dated 01.03.2019. As per the said regularization, there is a 25-foot road which connects all the plots to the main road having a width of 30 feet.

3. The grievance of the writ petitioner is that as per G.O.(Ms).No.78, Housing and Urban Development Department, dated 04.05.2017, once regularization is granted, the roads are required to be suo motu taken over by the concerned local body as per Clause 8 (c). However, in the present case, so far the third respondent has not suo motu taken over the 25-foot road of the un-



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approved lay out, which was subsequently regularized by the second respondent.

4. It is the further grievance of the writ petitioner that the sixth and seventh respondents, who are having properties behind the lay out, are obstructing the formation of the thar road, installation of street lights and laying of water pipelines by claiming that this 25-feet pathway is a private property. Hence, the present writ petition.

5. The learned counsel appearing for the seventh respondent submitted that the writ petitioner has not yet put up any constructions. However, already, the fifth and sixth plot owners have put up constructions encroaching upon 25-feet pathway. In such circumstances, if thar roads or pipelines are laid, the same would affect the access to the properties situated behind the approved lay out. However, he has no objection whatsoever for the laying of the road or the pipelines, in case if they carried out after removal of the encroachment and the road is maintained as a public road with a width of 25 feet.

6. The learned Government Advocate appearing for respondent Nos.1 to 5 submitted that the 25-feet road would be treated as a public road and in case, if



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there is any encroachment, they would remove it and depending upon the financial position, they would proceed to lay the road, install street lights and provide other basic amenities to this lay out.

7. In view of the above said facts, the respondents are directed to treat this 25-feet road as a public road and remove all encroachments, if any, after following due process of law. The extension of amenities would depend upon the financial position and grant from the authorities concerned. The fifth respondent is directed to effect mutation in the revenue records with regard to the 25-feet public road in accordance with Clause 8 (c) of the Tamil Nadu Regularization of Un-approved Plots of Layouts Rules, 2017.

8. With the above said deliberations, the writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

02.02.2026

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
TSG



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R.VIJAYAKUMAR, J.

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