



W.P.(MD).No.3400 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 16.02.2026

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.3400 of 2026

S.Purushothaman

... Petitioner

Vs.

1.The Director,
Town and Country Planning Department,
Chennai.

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

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying this court to issue a WRIT OF CERTIORARIFIED MANDAMUS to call for the records relating to the impugned order Na.Ka.No.1767/2024/Thoo.Ma.A-2 dated 23/09/2025 passed by the 2nd Respondent herein based on the letter dated 08/09/2025 of the 1st respondent herein and quash the same as illegal and consequently direct the 2nd Respondent to grant approval for the petitioners regularization application bearing number DTCP/P/0096424/2017 dated 19/04/2018 considering the facts of the case within a stipulated time as prescribed by this Court.



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For Petitioner : Mr.S.Saravanan

For Respondents : M/s.D.Farjana Ghoushia,
Special Government Pleader

ORDER

The present Writ Petition has been filed seeking to quash the order passed by the second respondent, whereby the request of the petitioner for grant of regularisation of the unapproved layout was rejected.

2. A perusal of the impugned order shows that the layout approval application submitted by the writ petitioner was forwarded by the second respondent to the first respondent. The first respondent, by proceedings dated 08.09.2025, returned the application raising certain queries. The second respondent has simply intimated the same to the petitioner under the impugned order. This intimation is under challenge in the present Writ Petition.

3. The learned counsel appearing for the writ petitioner submitted that, on an earlier occasion, the second respondent had rejected the request of the petitioner for regularisation by order dated 06.05.2024. The said order was



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challenged in W.P.(MD) No.14194 of 2024. By order dated 22.11.2024, this Court allowed the writ petition, holding that the first respondent had no jurisdiction to consider the request and that only the second respondent was competent to decide the issue relating to regularisation of the layout.

4. The learned counsel further submitted that, despite the categorical finding rendered by this Court, the second respondent once again referred the matter to the first respondent. Relying upon the proceedings dated 08.09.2025 issued by the first respondent, the present impugned order has been passed. Therefore, the impugned order is not an independent exercise of jurisdiction by the second respondent and is liable to be set aside.

5. The learned counsel also relied upon G.O.(Ms.)No.141, Housing and Urban Development [UD4(3)] Department, dated 23.09.2020, wherein, under Clause 3, it has been directed that the authorities shall not raise queries in a piecemeal manner and that all queries must be raised in a single comprehensive communication. However, in the present case, queries were raised by the second respondent on 03.10.2022, 17.07.2023 and 07.02.2025, in a piecemeal manner. Further, the first respondent had also raised queries on



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27.04.2023 and 28.06.2023. According to the learned counsel, such repeated queries amount to harassment of the writ petitioner.

6. It was further submitted that the queries raised by both the first and second respondents were comprehensively answered by the petitioner through his communication dated 23.09.2025. Despite the same, the first respondent issued proceedings dated 08.09.2025, which was merely intimated by the second respondent under the impugned order.

7. The learned Special Government Pleader appearing for the respondents submitted that, during the pendency of the writ petition, the second respondent has independently passed an order dated 12.02.2026, raising five comprehensive queries. According to her, if the petitioner satisfactorily responds to these queries, approval would be granted by the second respondent. It was also clarified that no further queries would be raised in respect of the regularisation of the layout.

8. Heard the learned counsel appearing on either side and perused the materials available on record.



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9. The impugned order in the present writ petition is only an intimation issued by the second respondent with regard to the proceedings dated 08.09.2025 passed by the first respondent. This Court has already held, in the earlier writ petition, that the first respondent has no jurisdiction to consider the petitioner's request for regularisation of the layout. In such circumstances, the impugned order is not legally sustainable and is accordingly set aside.

10. Insofar as the consequential relief sought for by the petitioner for grant of regularisation is concerned, the second respondent has now independently passed an order dated 12.02.2026 raising five comprehensive queries. It has also been clarified that no further queries shall be raised. The petitioner is directed to submit his explanation along with relevant documents to the second respondent within a period of ten (10) days from the date of receipt of a copy of this order. Upon receipt of the explanation and enclosures, the second respondent shall pass appropriate orders on merits and in accordance with law within a period of four (4) weeks thereafter. It is made clear that any further piecemeal queries raised against the petitioner will be viewed seriously.



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11. With the above observations and directions, this Writ Petition stands disposed of. There shall be no order as to costs.

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NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

- 1.The Director,
Town and Country Planning Department,
Chennai.
- 2.The Assistant Director,
District Town and Country Planning Office,
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R.VIJAYAKUMAR,J.

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