



W.A.(MD)No.497 of 2026

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.04.2026**

CORAM:

THE HONOURABLE **MR.JUSTICE N.SATHISH KUMAR**
AND
THE HONOURABLE **MR.JUSTICE M.JOTHIRAMAN**

W.A.(MD)No.497 of 2026
and
C.M.P.(MD)No.4453 of 2026

1.J.John Selvakumar Pandian
2.J.Jothimani Wesley Rajakumar ...Appellants
Vs.

1.The Director of Town and Country Planning,
Chengalvarayan Building, 4th Floor, 807 Anna Salai,
Chennai - 600 002.

2.The District Collector,
Thanjavur District, Thanjavur.

3.The Commissioner,
Thanjavur Corporation,
Thanjavur.

4.The Member Secretary,
Thanjavur Local Planning Authority,
Rajappa Nagar, Medical College Road,
Thanjavur.

5.G.Vijayaraghavan, ...Respondents

PRAYER:- Writ Appeal – filed under Clause 15 of the Letters Patent, to
set aside the order dated 18.12.2025 in W.P.(MD)No.272 of 2023.

1/6



W.A.(MD)No.497 of 2026

WEB COPY

For Appellants : Mr.B.Saravanan
Senior Counsel
for M/s.Saravanan Associates
For Respondents : Mr.A.Kannan (R1 and R2)
Additional Government Pleader
Mr.N.Dilip Kumar (R3 & R4)
Standing Counsel

ORDER

(Order of the Court was made by **N.SATHISH KUMAR, J.**)

Challenging the order of the learned Single Judge dismissing the writ petition and also imposing a cost of Rs.1 lakh, this writ petition has been filed.

2.The writ petition has been filed forbearing the respondents from interfering with the lands belonging to the appellants/writ petitioners. The writ petition was dismissed with costs on the ground that the appellants were granted approval on 30.12.1991; after approval, the appellants sold 4.5 acres of land to the Centralised Department; the department has also constructed a building therein and enjoying the same and therefore, the petitioner is estopped from contending that the land is still vested with them.



W.A.(MD)No.497 of 2026

WEB COPY

3.The learned counsel for the appellants would contend that the learned Single Judge erred in recording the facts. According to him, what was granted on 30.12.1991 was only a regulatory permission and does not amount to transfer of ownership. It is his further submission that such regulatory permission/technical approval would lapse if not renewed within the prescribed period, and in the absence of a valid approval, the question of vesting of the property with the local authorities would not arise. Therefore, it is contended that the appellants continue to be the owners of the property.

4.We have heard the learned counsel appearing on either side and perused the entire materials placed on record.

5.Though it is contended by the learned counsel for the appellants that only technical approval was granted and the question as to whether any final approval was obtained and whether, pursuant thereto, the lands were sold to the authorities are all matters involving disputed questions of fact. Likewise, the issue as to whether the property has vested with the Government or has been transferred in favour of the local body are the matters which require appreciation of evidence.



W.A.(MD)No.497 of 2026

WEB COPY

6. In view of the disputed questions of fact involved in this matter, we are of the considered view that the appellants have to be relegated to the competent Civil Court to establish their rights by way of a properly instituted suit.

7. Accordingly, the findings of the writ Court, particularly in paragraph No.7 of the order relating to factual aspects are set aside and the costs imposed by the learned Single Judge are also set aside. If any civil suit is filed by the appellants, the same shall be decided on its own merits and in accordance with law without being influenced by any of the observations made either by this Court or by the writ Court.

8. In view of the above, this writ appeal is partly allowed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

[N.S.K., J.] & [M.J.R., J.]
07.04.2026

Index : Yes/No
Internet : Yes
ta

4/6



W.A.(MD)No.497 of 2026

WEB COPY

To

- 1.The Director of Town and Country Planning,
Chengalvarayan Building, 4th Floor, 807 Anna Salai,
Chennai - 600 002.
- 2.The District Collector,
Thanjavur District, Thanjavur.
- 3.The Commissioner,
Thanjavur Corporation,
Thanjavur.
- 4.The Member Secretary,
Thanjavur Local Planning Authority,
Rajappa Nagar, Medical College Road,
Thanjavur.



WEB COPY



W.A.(MD)No.497 of 2026

**N.SATHISH KUMAR, J.
AND
M.JOTHIRAMAN, J.**

ta

W.A.(MD)No.497 of 2026

07.04.2026