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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.04.2026

CORAM

THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P.(MD)No.10758 of 2026

and

W.M.P(MD)No.8436 of 2026

1. M.Mannar Mannan

2. Sangeetha

.. Petitioners

- Vs. -

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

2. The Assistant Director of Town and Country Planning,
Town and Country Planning Department,
No.9, 1st Floor, Lakshmipuram North Street,
Karur District.

3. The Commissioner,
Kulithalai Municipality,
Karur District.

4. The Sub Registrar,
Kulithalai Sub Registrar Office,
Kulithalai,
Karur District.

.. Respondents



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Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of CERTIORARIFIED MANDAMUS calling for the records relating to the impugned proceedings in Na.Ka.No. 63/2026/P2 dated 20.01.2026 issued by the 3rd respondent, quash the same as illegal and consequently direct the 3rd respondent to issue No Objection to the 4th respondent, to register the rectification deed dated 06.02.2026 to rectify the defects in Doc.No.3372/2025 on the file of the 4th respondent, submitted by the petitioners on 06.02.2026, within time frame as fixed by this Court.

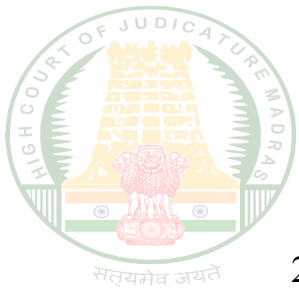
For Petitioner : Mr.M.Suresh

For Respondents : Mr.D.SAdiq Raja
Additional Government Pleader
for R1, R2 and R4

: Mr.A.N.Ramanathan,
Standing Counsel
for R3

ORDER

The petitioner assails the communication dated 20.01.2026 issued by the third respondent.



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2. By the said communication, the petitioner's request for executing a rectification deed by mentioning the boundaries of the land gifted by the petitioner in favour of the third respondent came to be rejected.

3. The petitioner submitted that he is the owner of 20 cents in T.S.No.83/2 (S.F.No.42/5) Block No.8, Ward No.A, Manathattai Village, Kulithalai Municipality and an extent of 94 cents in T.S.No.84/1(S.F.No. 42/6) Block No.8, Ward No.A, Manathattai Village, Kulithalai Municipality belongs to the second petitioner.

4. The petitioners jointly submitted an application for approval of residential lay out in the said lands and the approval was subject to the gifting of the roads, parks etc., formed in the lay out in favour of the local authority. In terms of the statutory provision, the petitioners have executed a registered gift deed dated 16.07.2025 in favour of the third respondent by which without mentioning the boundaries.

5. The first respondent has not granted approval of the lay out citing that the gift deed does not contain boundaries of the properties gifted in favour of the third respondent and hence, the second respondent directed



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the petitioners to execute a rectification deed. Therefore, the petitioners submitted a rectification deed to the fourth respondent by defining the boundaries of the properties gifted. In turn, the fourth respondent sought clarification from the third respondent to which the third respondent issued the impugned communication.

6. Heard the learned counsel on either side.

7. The third respondent has filed a detailed counter affidavit stating that the gift deed was executed without prior approval of the third respondent and therefore, the third respondent cannot be compelled to issue No Objection Certificate.

8. As per the statutory provisions, the gifting of deed surrendering of roads, parks etc., formed in the lay out is mandatory and therefore, the petitioners executed a gift deed in favour of the third respondent without defining the boundaries of the properties gifted.

9. The gifting of Roads, Parks etc, found in a lay out is mandatory and there is no requirement for obtaining prior approval of the third



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respondent. Therefore, the impugned communication issued by the third respondent is not legally sustainable.

9. Accordingly, the Writ Petition is allowed. The impugned communication dated 20.01.2026 issued by the third respondent is set aside and the third respondent is hereby directed to issue No Objection Certificate for registration of the rectification deed presented by the petitioners. The said No Objection Certificate should be issued within a period of two(2) weeks from the date of receipt of a copy of this order. On such production of the No Objection Certificate, the fourth respondent shall register the rectification deed within a period of one week therefrom.

10. There shall be no order as to costs.

11. Consequently, connected miscellaneous petition is closed.

22.04.2026
(2/2)

Index : Yes/No
Internet : Yes/No
NCC : Yes/No
PJJ



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To

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HEMANT CHANDANGOUDAR, J.

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