



W.P(MD)No.16042 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 12.06.2026

CORAM

THE HONOURABLE MR JUSTICE D.BHARATHA CHAKRAVARTHY

W.P(MD)No.16042 of 2026

and

W.M.P(MD)No.11989 of 2026

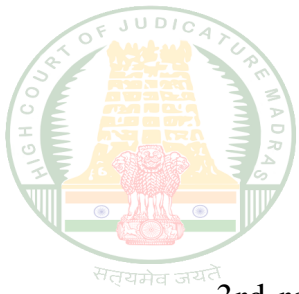
V.Balasubramanian

... Petitioner

Vs.

1. The District Collector,
Thoothukudi District,
Thoothukudi.
 2. The Assistant Director,
Town and Country Planning Authority,
District Town and Country Planning Office (DTCP),
Collectorate Campus,
Thoothukudi.
 3. The Joint Director of Agriculture,
Agricultural Office Complex,
Collectorate Campus,
Thoothukudi.
 4. V.R.Jeyaramasamy alias Jeyaraj
- ...Respondents

Prayer: Writ Petition, 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 letter communication of the



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3rd respondent in letter No. T3/2821/2026 dated 06.04.2026 and quash the same as illegal and directing the 3rd respondent to issue a NOC (No Objection Certificate) to the petitioner for using the petitioner land in Sy. No.51/8 admeasuring 1 Acre 49 cents situate at Kulakkattankurichi Village, Vilathikulam Taluk, Thoothukudi District for non agricultural residential purpose and enable the 2nd respondent to consider and grant DTCP approval and pass such further or other orders as this Honble court may deem fit and proper in the circumstances of this case and thus render justice.

For Petitioner	: Mr.S.Babu
For R1 to R3	: Mr.P.Sudarkodi Nachiar Government Standing Counsel

ORDER

This writ petition is filed challenging the impugned order dated 06.04.2026.

2. Heard Mr.S.Babu, learned counsel appearing for the petitioner and M/s.P.Sudarkodi Nachiar, learned Government Standing Counsel, who takes notice on behalf of the respondents 1 to 3.



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3. Upon hearing the learned counsel appearing for the petitioner and perusing the material records of the case, it can be seen that in the process of conversion of agricultural lands into residential plots when the petitioner sought for 'No Objection' from the 3rd respondent, the same was refused.

4. The case of the petitioner is that he purchased the property from the 4th respondent in the year 2025. The property is already classified as “Tharisu Land” and the petitioner has also produced the Adangal extract which shows that no cultivation is being made for the past three years. In any event, the petitioner is not cultivating anything from the date of his purchase in the year 2025.

5. Therefore, the learned counsel appearing for the petitioner would submit that when the property is already classified in the village records as “Tharisu Land”, the contrary conclusion cannot be arrived at by the respondents.



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6. Per contra, learned Government Standing Counsel appearing on behalf of the respondents 1 to 3 would submit that the petitioner's vendor had grown solam in the land and had also obtained crop insurance. At the time of obtaining crop insurance, the village Adangal extract was also produced, which categorically mentions that solam was cultivated in the subject matter land.

7. Under these circumstances, action is proposed against the particular individual who has now given the Adangal extract as if no cultivation was made.

8. I have considered the rival submissions made on either side and perused the material records of the case.

9. As per the condition which is now amended in order to get 'No Objection' for conversion, the land should be a barren land at least for a period of two years.



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10. The petitioner purchased the property only in the year 2025.

Prior to the same, the petitioner's vendor namely the 4th respondent herein had been cultivating the said land, as evidenced by the Adangal extract. He had also obtained crop insurance in respect of the same.

11. In view thereof, it cannot be held that the land remained barren for a continuous period of two years.

12. Accordingly, the writ petition is dismissed. However, since it is stated that the petitioner is not cultivating from the year 2025, once the petitioner crosses the requisite 2 year period of keeping the land barren the petitioner can once again apply for the same which will be considered on its own merits. No costs. Consequently, connected miscellaneous petition is closed.

12.06.2026

Neutral Citation: No
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D.BHARATHA CHAKRAVARTHY, J.

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