



W.P(MD)No.14538 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.03.2026

CORAM

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.14538 of 2025

and

W.M.P.(MD)Nos.10761, 10764 & 10765 of 2025

K.Subramanian

... Petitioner

vs.

1.The Director
Town and Country Planning
Chennai.

2.The Deputy Director
Town and Country planning
Sivagangai.

3.The District Registrar
Karaikudi.

4.The Sub Registrar
Devakottai.

5.The Tahsildar
Devakottai.

6.Kannakottai Panchayat
Through its Special Officer
Devakottai Taluk,
Sivaganagai District.



W.P(MD)No.14538 of 2025

7.The Block Development Officer
Village Panchayats
Devakottai Union
Sivagangai District

8.TANGEDCO
Through its Superintending Engineer
Sivagangai.

9.S.Nachayi

10.Ananthi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Declaration declaring the impugned proceedings of the 2nd respondent in NA.KA.No.1040/2020/C-Ma-2 dated 28.12.2020 and the consequential Gift Deed dated 29.12.2020 vide Document No.5029 of 2020 in favour of the 6th respondent and dated 29.01.2021 vide No.334 of 2021 in favour of the 8th respondent herein as illegal and violative of natural justice.

For Petitioner :Mr.V.R.Shanmuganathan

For Respondents :Mr.S.Kameswaran – for R1 to R5
Government Advocate

Mr.J.Anandakumar – for R10



W.P(MD)No.14538 of 2025

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ORDER

The petitioner is before this Court seeking issuance of a writ of declaration to declare the impugned proceedings of the 2nd respondent in Na.Ka.No.1040/2020/C-Ma-2, dated 28.12.2020, and the consequential gift deed dated 29.12.2020 executed in favour of the 6th respondent, as illegal, null and void.

2. The contention of the petitioner is that the gift deed has been executed in favour of the 6th respondent by the private respondent without having valid title over the property. The petitioner has also instituted a suit in O.S. No.163 of 2021 on the file of the Subordinate Judge, Devakottai, seeking declaration of his title, to declare the gift deed executed by the private respondent as null and void and not binding on him, and for consequential permanent injunction against the private respondents.

3. The dispute between the parties is purely civil in nature. The issues raised involve disputed questions of fact relating to title, which



W.P(MD)No.14538 of 2025

cannot be adjudicated in exercise of writ jurisdiction under Article 226 of the Constitution of India. Therefore, the writ petition is not maintainable.

4. Accordingly, the writ petition is disposed of, granting liberty to the petitioner to agitate his rights before the competent civil court in the pending suit. The trial Court is requested to dispose of the suit expeditiously. No costs. Consequently, connected miscellaneous petitions are closed.

25.03.2026

Index :Yes / No
NCC :Yes / No

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W.P(MD)No.14538 of 2025

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W.P(MD)No.14538 of 2025

HEMANT CHANDANGOUDAR, J.

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W.P.(MD)No.14538 of 2025

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