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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2026

CORAM

THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P.(MD)No.16158 of 2025

N.Elayalwar

.. Petitioner

- Vs. -

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

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

.. Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorarified Mandamus call for the records pertaining to the impugned order passed by the 1st respondent in Na.Ka.No.11970/2024/TCP6 dated 19.02.2025 and quash the same as illegal and consequently directing the 1st respondent to grant regularization approval.



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For Petitioner

: Mr.M.Arikaran

For Respondents

: Mr.P.Subbaraj
Special Government Pleader

ORDER

The petitioner's application for regularisation of unapproved lay out came to be rejected vide communication dated 30.04.2024. Rejection of the petitioner's application was on the ground that the width of the road providing access to the unapproved lay out is less than 3.6 metres.

2. The petitioner filed an appeal under Rule 17 of the Tamilnadu Regularisation of Unapproved Layouts and Plots Rules, 2017, before the first respondent. However, the first respondent dismissed the appeal. Hence, this petition.

3. Heard the learned counsel appearing on either side.

4. Learned counsel for the petitioner submitted that in identical circumstances, the first respondent has relaxed the condition and approved the unauthorised lay out. He drew attention to the following Government



S.No	G.O.	Petitioner's Name	Road Measurement
1.	G.O.(3D).No.55, Housing and Urban Development (UD 5(1)) Department, dated 06.11.2023	Chinnasamy	The access road width to the site is 5.43 m on one corner and 6.03 m on the other corner
2.	G.O.(3D).No.65, Housing and Urban Development (UD 5(1)) Department, dated 28.11.2024	Senthil Kumar	6.10 m
3.	G.O.(3D).No.30, Housing and Urban Development (UD 5(1)) Department, dated 14.03.2025	T.S.Ganesh Rao	6.10 m

5. Placing reliance on the said Government Orders, the coordinate Bench of this Court in W.P(MD)No.20983/2025 dated 01.08.2025 has directed the first respondent therein to reconsider the prayer of the petitioner therein and pass appropriate orders in light of the relaxation given to the aforementioned persons, therefore this petition is also required to be disposed of in terms of the aforesaid order.



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6. Accordingly, the impugned order dated 19.02.2025 passed by the 1st respondent is hereby set aside. The first respondent is directed to reconsider the appeal of the petitioner and pass appropriate orders in light of the relaxation given to the aforementioned persons within a period of eight (8) weeks from the date of receipt of a copy of this order.

7. There shall be no order as to costs.

27.04.2026

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

PJL

To

1. The Director,
Directorate of Town and Country Planning,
Chennai.
2. The Assistant Director,
Town and Country Planning Department,
Thoothukudi District.
Thoothukudi.



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HEMANT CHANDANGOUDAR, J.

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