



W.P.(MD)No.177 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 15.06.2026

CORAM

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.177 of 2026

Paul Anna

... Petitioner

vs.

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

2.The District Officer,
District Town and Country Planning Office,
Tirunelveli.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus to call for the records on the file of the 2nd respondent in file No.Z6KDYXDZ/2025/TCP dated 22.09.2025 and to quash the same as illegal and arbitrary and consequentially to direct the 2nd respondent to approve the layout application dated 19.07.2025 within a time frame stipulated by this Court.

For Petitioner	:Mr.K.R.Kishore Ram for M/s.RB Law Associates
For Respondents	:Mr.M.Mahaboob Athiff Government Advocate



W.P.(MD)No.177 of 2026

WEB COPY

ORDER

The petitioner challenges the impugned order dated 22.09.2025 passed by the second respondent, whereby the petitioner's application for approval of a residential layout was rejected.

2.The impugned order states that a strip of land measuring 1 metre in width, retained by the vendor of the petitioner's vendor on the eastern side of the property, blocks access to the owners of lands comprised in Survey Nos.244/9A, 244/9C, 244/10 and 244/11 situated at Reddiarpatti Village, Palayamkottai Taluk, Tirunelveli District.

3.The petitioner is the owner of the lands comprised in Survey Nos.244/8B and 244/8C situated at Reddiarpatti Village, Palayamkottai Taluk, Tirunelveli District, having purchased the same under a registered sale deed dated 27.06.2025 from M/s. Fybuilt Private Limited, represented by its Director. The said company, in turn, had purchased the property from one Devaraj, the original owner.



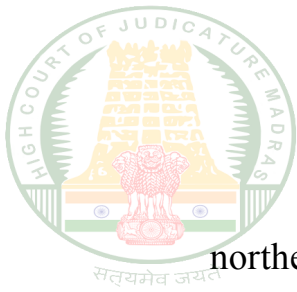
W.P.(MD)No.177 of 2026

4.After purchasing the property, the petitioner submitted an application seeking approval of a residential layout. In the proposed layout, the petitioner has provided a 10-metre-wide road running through the entire property from north to south and a 9-metre-wide road running from east to west. The eastern road abuts the 1-metre-wide strip of land retained by the original owner, Devaraj. The application was rejected on the ground that the proposed layout does not provide access to the owners of the adjoining lands situated on the eastern side.

5.Heard the learned counsel appearing on either side and perused the materials available on record.

6.By order dated 28.04.2026, this Court directed the second respondent to inspect the subject property and ascertain whether there existed a pre-existing 7-metre-wide road on the northern side and to submit a report before this Court.

7.Pursuant to the said direction, the second respondent has filed a report stating that no pre-existing 7-metre-wide road exists on the



W.P.(MD)No.177 of 2026

northern side of the property.

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8.Rule 35 of the Tamil Nadu Combined Development and Building Rules, 2019 prescribes the parameters applicable to non-high-rise buildings. Rule 35(25) provides that, in the interest of the public and to ensure proper connectivity to adjoining lands, the competent authority may require an applicant undertaking a large development to reserve road space within the site and transfer the same free of cost to the local body through a registered gift deed for declaration as a public road. Rule 47, which deals with layouts and subdivisions, stipulates that the minimum width of the public road on which a residential layout abuts or gains access shall be 7 metres.

9.A perusal of the proposed layout plan shows that the petitioner has provided a 10-metre-wide internal road running from north to south and a 9-metre-wide road running from east to west. The eastern road abuts the 1-metre-wide strip of land retained by Devaraj. In such circumstances, the petitioner cannot be compelled to provide access through the 1-metre-wide strip of land retained by Devaraj for the benefit



W.P.(MD)No.177 of 2026

of the owners of the adjoining eastern properties, since the petitioner is not the owner of the said 1 metre wide strip of land .

10.In the opinion of this Court, the apprehension that approval of the petitioner's layout would render the neighbouring properties landlocked is misplaced. Consequently, the rejection of the petitioner's application on that ground is arbitrary and unsustainable.

11.Admittedly, the petitioner has provided access roads in conformity with the applicable Rules. Merely because Devaraj, the original owner, retained a 1-metre-wide strip of land abutting the petitioner's property on the eastern side, the petitioner's application for layout approval cannot be rejected.

12.Accordingly, the writ petition is allowed. The impugned order dated 22.09.2025 passed by the second respondent is set aside. The second respondent is directed to approve the proposed residential layout submitted by the petitioner, subject to the petitioner satisfying all other statutory requirements.



W.P.(MD)No.177 of 2026

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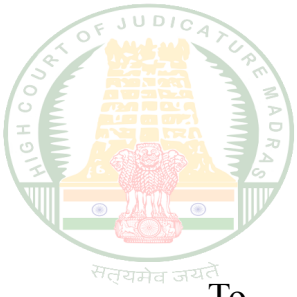
13.The above exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order.

14.There shall be no order as to costs.

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

15.06.2026

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W.P.(MD)No.177 of 2026

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W.P.(MD)No.177 of 2026

HEMANT CHANDANGOUDAR, J.

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W.P.(MD)No.177 of 2026

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