

WEB COPY

WMP No. 21944 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-06-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WMP No. 21944 of 2026

IN

WP NO. 20430 OF 2026

1. G.Kanagaraj
S/o.K.V.Gopalsamy,
31,Krishnasamy Nagar,
50 feet Road,
Ramanathapuram,
Coimbatore- 641 045.
2. V.G.Janani
D/o.K.V.Gopalsamy,
W/o.late T.Vengupal,
88/1-D, Balaguru Garden Extension,
Peelamedu,
Coimbatore- 641 004.
3. K.Vijayakrishnan
S/o.G.Kanagaraj,
31,Krishnasamy Nagar,
50 feet Road,
Ramanathapuram,
Coimbatore- 641 045.

..Petitioner(s)

Vs

1. The Director of Town and country Planning
Town and Country Planning Office,
CMDA Complex,
E and C Market Road,
Koyambedu,
Chennai-107.
2. The Member Secretary,(i/c)
Coimbatore Local Planning Authority,
Coimbatore- 012,
Coimbatore District.



3. The Commissioner
Coimbatore Corporation,
Coimbatore- 641 001.

4. The Sub Registrar
Gandhipuram SRO,
Coimbatore.

5. G.Elango
S/o.P.V. Gopal,
136, Ellai Thottam,
Peelamedu,
Coimbatore- 641 004.

..Respondent(s)

For Petitioner(s):

For Respondent(s):

ORDER

The miscellaneous petition is filed seeking interim stay of the operation of Na.Ka.No.1138/2023/TCP-3 dated 07.02.2026 issued by the first respondent cancelling the regularization granted to the petitioners' layout, pending disposal of the main writ petition.

2. Heard both sides and perused the materials available on record.

3. The petitioners are absolute owners of 2.44 acres in SF.No.1071/1B1, 1071/1B2, 1071/3A1 and 1071/3A2 Kalapatti Village by registered partition/release/settlement deeds 2012-2013 and patta Nos.2782 and 2783 dated 18.09.2020 stand in their name. In order to regularize the unapproved



house sites, the Government has issued GO.Ms.No.78. dated 04.05.2017. The petitioner made application on 05.10.2017 under the above said GO. and final

approval was granted for plot Nos.1 to 36 and 40 by the second respondent.

Aggrieved against the order of regularization granted by the second respondent, the 5th respondent has given a representation dated 22.09.2021 to the first respondent contending that he had given certain objections for regularisation on the ground that he has applied for regularisation by showing the 50 feet BB scheme Road and 23 feet layout road on the eastern side of plot Nos.35 to 40 instead of 23 feet layout road. Thereafter, the 5th respondent has filed a suit for specific performance. The petitioners have also filed a suit seeking permanent injunction restraining the 5th respondent from interfering with the petitioners' peaceful possession and enjoyment of the suit property. Without disclosing the suits, the 5th respondent filed a writ petition seeking for cancellation of the regularisation order dated 29.01.2019 and the same was disposed of by this Court on 22.12.2023. Pursuant to the said order, the first respondent has passed the impugned order dated 07.02.2026 by cancelling the regularisation order dated 29.01.2019 passed by the second respondent on the sole ground no plot was sold prior to 20.10.2016 to apply for regularisation as per GO.Ms.No.78. Challenging the same, the petitioner has filed the present writ petition.

5. The learned counsel for the petitioner submitted that the layout stands regularised since 05.02.2021. The 5th respondent himself is a purchaser and he



withdrew the suit in OS.No.261/2021 dated 22.07.2022 and suppressed it in the writ petition filed before this Court. If stay is not granted, the petitioners and innocent purchasers will suffer irreparable loss.

6. Considering the prima facie case made out by the petitioner, this Court grants an order of interim stay of the operation dated 07.02.2026 issued by the first respondent, until further orders. Further,

a. The respondents 1 to 4 are restrained from interfering with the petitioners' possession and enjoyment of plot Nos.1-36 and 40 based on regularization order dated 05.02.2021;

b. The first respondent shall not take any coercive steps pursuant to impugned order dated 07.02.2026;

c. Status quo as on today regarding the layout shall be maintained by all parties;

d. The 5th respondent is restrained from alienating his plot in S.F.no.1071/1B (part) till disposal of the writ petition; and

e. The first respondent is directed to produce the entire original file relating to DTCP/L/0014956/2017 including sale deed dated 02.08.2012, on the next date of hearing date.

Notice to the respondents returnable by four weeks. Private notice is also permitted. The respondents are directed to file a counter. Post the case after four



weeks for filing counter.

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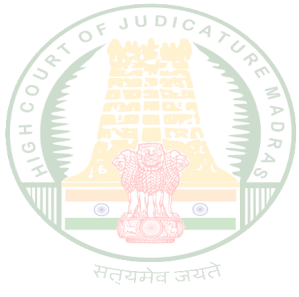
08-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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M.DHANDAPANI, J.

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IN
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