



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 16.08.2021

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

WEB COPY

Cont. P (MD) Nos.967 to 970 of 2021
in
W.P (MD) Nos.10673, 10674, 10676 & 10678 of 2020.

M.Gopinath	... Petitioner in Cont.P.(MD)No.967 of 2021
R.Kalidasan	... Petitioner in Cont.P.(MD)No.968 of 2021
R.Jancyrani	... Petitioner in Cont.P.(MD)No.969 of 2021
R.Deebaniranjana	... Petitioner in Cont.P.(MD)No.970 of 2021

Vs.

1.B.Ganesan I.A.S,
The Director,
Town and Country Planning,
No.807, Anna Salai,
Chennai.

2.S.Sivasubramanian,
The Commissioner,
Trichy Corporation,
Trichy,
Trichy District.

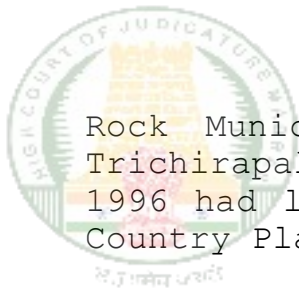
3.S.Sankaramoorthy,
The Assistant Director of Town and Country Planning,
Local Planning Authority Corporation,
Trichy,
Trichy District.

...Contemnors/Respondents
(in all Cont. Petitions)

Common Prayer: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondents for the deliberate and willful disobedience of the order dated 25.09.2020 passed by this Court in W.P.(MD)Nos.10673, 10674, 10676 & 10678 of 2020.

Prayer in WP(MD). 10673/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Declaration or any other appropriate writ or order or direction in the nature of writ to declare the reservation made in respect of the petitioners land to an extent of 5.5 cents (2400 Sq.Ft) situated in Plot No.17 in Survey No.143/5, Kotapattu Village, Sempattu, Golden



Rock Municipality, Trichy, Trichy District forming part of the Trichirapalli Local Planning Area Detailed Development Plan Part-II, 1996 had lapsed in light of Section 38 of the Tamil Nadu Town and Country Planning Act 1971 (TN Act 35 of 1974).

Prayer in WP(MD). 10674/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Declaration or any other appropriate writ or order or direction in the nature of writ to declare the reservation made in respect of the petitioners land to an extent of 5.5 cents (2400 Sq.Ft) situated in Plot No.18 in Survey No.143/5, Kotapattu Village, Sempattu, Golden Rock Municipality, Trichy, Trichy District forming part of the Trichirapalli Local Planning Area Detailed Development Plan Part-II, 1996 had lapsed in light of Section 38 of the Tamil Nadu Town and Country Planning Act 1971 (TN Act 35 of 1974).

Prayer in WP(MD). 10676/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Declaration or any other appropriate writ or order or direction in the nature of writ to declare the reservation made in respect of the petitioners land to an extent of 9.28 cents (4045Sq.Ft) situated in Plot No.13 in Survey No.143/5, Kotapattu Village, Sempattu, Golden Rock Municipality, Trichy, Trichy District forming part of the Trichirapalli Local Planning Area Detailed Development Plan Part-II, 1996 had lapsed in light of Section 38 of the Tamil Nadu Town and Country Planning Act 1971 (TN Act 35 of 1974).

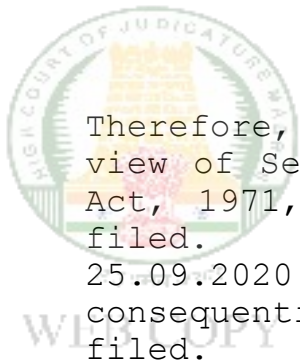
Prayer in WP(MD). 10678/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Declaration or any other appropriate writ or order or direction in the nature of writ to declare the reservation made in respect of the petitioners land to an extent of 9.25 cents (4032 Sq.Ft) situated in Plot No.12 in Survey No.143/5, Kotapattu Village, Sempattu, Golden Rock Municipality, Trichy, Trichy District forming part of the Trichirapalli Local Planning Area Detailed Development Plan Part-II, 1996 had lapsed in light of Section 38 of the Tamil Nadu Town and Country Planning Act 1971 (TN Act 35 of 1974).

For Petitioner : Mr.Karthik Raja
for M/s.Ajmal Associates
For Respondents : Mr.R.Ragavendran
Government Advocate

COMMON ORDER

The petitioners' land were covered under the Detailed Development Plan notified in the year 1996. However, consequential acquisition proceedings were not taken within three years.



Therefore, seeking declaration that the lands have been released in view of Section 38 of the Tamil Nadu Act Town and Country Planning Act, 1971, W.P.(MD)Nos.10673, 10674, 10676 & 10678 of 2020 were filed. These writ petitions were allowed vide order dated 25.09.2020. Contending that the authorities have not issued the consequential declarations, these contempt petitions came to be filed.

2. When the matter was taken up for hearing, the learned Government Advocate produced a copy of the communication bearing Na.Ka.1210/2020/Thi.ma-3 dated 13.08.2021 addressed to the writ petitioners categorically stating that the lands in question have been deleted from the Detailed Development Plan.

3. I am satisfied that the order passed by this Court has been complied with. These contempt petitions are closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rmi

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Director,
Town and Country Planning,
No.807, Anna Salai, Chennai.
- 2.The Commissioner,
Trichy Corporation, Trichy, Trichy District.
- 3.The Assistant Director of Town and Country Planning,
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RD(25.08.2021) 3P 4C