



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.08.2021

CORAM

**THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY**

**W.P.(MD)No.14688 of 2021**

Shanthi

... Petitioner

Vs.

1. The Director,  
Town and Country Planning,  
No.807, Anna Salai,  
Chennai - 600 002.

2. The Member Secretary,  
Thanjavur Local Planning and Authority,  
No.5, Ganapathi Nagar Second Street,  
Medical College Road,  
Thanjavur - 613 001.

... Respondents

**Prayer:** Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to release the petitioner's land with an 3600 Sq.feet in Survey Nos.211/3A Part, 211/3B Part and 212/1D Part situated at Plot Nos. 22 and 23, Srinivasa Nagar East, Ammathottam Village, Kumbakonam Taluk, Thanjavur District earmarked for the "Palavanthankattalai Detailed Development Plan:3" by treating the, "Palavanthangal Detailed Development Plan:3" as lapsed under Section 38 of the Tamil Nadu Town and Country Planning Act, 1971.

For Petitioner : Mr.R.Karunanidhi  
For Respondents : Mr.P.Subbaraj,  
Counsel for the State

### **O R D E R**

The petitioner seeks the release of his land admeasuring 3600 Sq.Ft in Survey Nos.211/3A Part, 211/3B Part and 212/1D Part situated at Plot Nos. 22 and 23, Srinivasa Nagar East, Ammathottam Village, Kumbakonam Taluk, Thanjavur District.

2. The petitioner states that the aforesaid land had been earmarked under the scheme named "Palavanthankattalai Detailed Development Plan:3". It is submitted that in terms of Section 38 of the Tamil Nadu Town and Country Planning Act 1971, the land shall be deemed to be released unless such land is acquired by agreement within three years from the date of publication of notice in the Tamil Nadu Government Gazette under Section 26 or Section 27.

3. Learned counsel refers to a recent order of this Court in



W.P(MD).No.13628 of 2021, order dated 06.08.2021, whereby orders were passed allowing the writ petition in respect of another plot of land in the same survey numbers of Srinivasa Nagar East. Accordingly, it is contended that the said order would be squarely applicable to the present case.

4. Upon perusal thereof, it is clear that the present case is covered by the earlier order. Accordingly, W.P(MD).No.14688 of 2021 is allowed in terms of the order passed in W.P(MD).No.13628 of 2021. There will be no order as to costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To:

1. The Director,  
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Chennai - 600 002.
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+1 CC to M/s.GP ( SR-26756[F] dated 19/08/2021 )

W.P. (MD) No.14688 of 2021

**18.08.2021**

RD(2.09.2021) 2P 4C