



W.P.(MD).No.11777 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.07.2022

CORAM

THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

**W.P.(MD).No.11777 of 2022
and
W.M.P.(MD).No.8368 of 2022**

T.Senthil Kumar

... Petitioner

Vs.

1.The Director of Town and Country Planning,
807, Anna Salai,
Chennai.

2.The Member Secretary,
Madurai Local Planning Authority,
Madurai.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for records relating to the impugned order made by the second respondent in Na.Ka.No.402/2022/mathi2 dated 10.03.2022 and quash the same as illegal and consequently direct the respondent to grant planning permission for the petitioners development in R.S.No.5/3A2, 13 pt, Managiri village, Madurai North Taluk, Madurai within the time that may be stipulated by this Court.



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For Petitioner : Mr.M.Mahaboob Athiff
For Respondents : Mr.M.Sarangan,
Additional Government Pleader.

ORDER

Heard the learned counsel on either side.

2. The petitioner approached the respondents seeking planning approval for the petition mentioned land. The petitioner's application was rejected on the ground that the land in question had been included in the Mathichiyam Detailed Development Plan Part-III A, which was published in the year 1999.

3. I had already declared in W.P.(MD).No.17816 of 2021 that the said reservation has lapsed by applying the statutory mandate under Section 38 of the Town and Country Planning Act. The reason set out in the impugned order goes and therefore, the impugned order is quashed. It is for the respondents to consider the writ petitioner's application afresh on merits and in accordance with law.



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4. This Writ Petition is partly allowed accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

08.07.2022

Index : Yes / No
Internet : Yes/ No
Lm

To

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G.R.SWAMINATHAN, J.

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