



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.06.2022

CORAM

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

WP(MD) No.12014 of 2022

Hotel Chitra Private Ltd., Rep.by its
Managing Director,
T.Pari Vallal

... Petitioner

Vs.

1.The Director,
Town and Country Planning,
2nd, 3rd and 4th Floor,
E&C Market Road,
Koyambedu, Chennai.

2.The District Collector cum
Chairman of the Trichirappalli
Local Planing Authority,
Trichirappalli.

3.The Deputy Director of Town and
Country Planning/Member Secretary,
Trichirappalli Local Planing Authority,
Kajamalai Main Road, Kajamalai,
Trichirappalli - 620 023.

4.The Commissioner,
Trichy Corporation, Trichy.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue Writ of Certiorarified Mandamus, to call for the records of the third respondent herein in his proceedings in Na.Ka.No.4654/2021/Thi.Maa-3 dated 28.03.2022 and quash the same and consequently direct the respondents to grant approval for converting the petitioner private company land having an extent of 5306.078 sq.ft for residential/commercial use which is included in Trichirappalli Corporation Bypass Road Detailed Development Plan No.1 and the comprehensive variation map No.5, within the period that may be stipulated by this Court.

For Petitioner	:	Mr.V.Malaiyendran
For Respondents	:	Mr.K.Balasubramani, Special Government Pleader for R1 to R3 Mr.R.Baskaran, Standing Counsel for R4

ORDER

Heard the learned counsel on either side.



2.The petition mentioned lands were originally included in the Trichirappalli Corporation Bypass Road Detailed Development Plan No.1. Later, they were once again included in the Comprehensive Variation Map No.5 published on 16.05.2001. No consequential steps for acquisition were taken up within the next three years. Seeking declaration that they stood released and that the original proceedings itself stood lapsed, the petitioner filed WP(MD)No.12134 of 2022. I allowed the said writ petition. It is seen that the petitioner's application for change of user was rejected. Since no consequential proceedings have been taken, the proceedings are deemed to have lapsed and the land itself stood released from such reservation, the reason mentioned in the impugned order is not sustainable. The third respondent is directed to consider the petition mentioned application on merits and in accordance with law and pass final order after hearing the petitioner in person within a period of ten weeks from the date of receipt of copy of this order. The writ petition stands allowed. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

skm

To

1.The Director, Town and Country Planning,
2nd, 3rd and 4th Floor, E&C Market Road,
Koyambedu, Chennai.

2.The District Collector cum Chairman of the Trichirappalli
Local Planing Authority, Trichirappalli.

3.The Deputy Director of Town and
Country Planning/Member Secretary,
Trichirappalli Local Planing Authority,
Kajamalai Main Road, Kajamalai,
Trichirappalli - 620 023.

4.The Commissioner, Trichy Corporation, Trichy.

+1 CC to M/s.V. MALAYENDRAN, Advocate (SR-28155[F] dated
27/06/2022)

+1 CC to M/s.SPL.GP (SR-28482[F] dated 28/06/2022)

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