



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.06.2022

CORAM

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

WP(MD) No.12134 of 2022

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

... Petitioner

Vs.

- 1.The Secretary to Government,
Housing and Urban Development
Department,
Secretariat, Chennai.
- 2.The Director of Town and Country Planning,
No.807, Anna Salai, Chennai - 2.
- 3.The District Collector cum
Chairman of the Trichirappalli
Local Planning Authority, Trichirappalli.
- 4.The Deputy Director of Town and
Country Planning/Member Secretary,
Trichirappalli Local Planning Authority,
Kajamalai Main Road, Kajamalai,
Trichirappalli - 620 023.
- 5.The Commissioner,
Trichy Corporation, Trichy.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue Writ of Declaration, to declare the reservation made in respect of the petitioner Private Ltd Company Land situated in ward No.C, Block No.1, in old T.S. No.5/14, New T.S. No.5/43 having an extent of 5306.078 sq.ft. out of 19920.25 sq.ft at Vellittirumuttam Village, Srirangam Taluk, Trichy District had lapsed in light of section 38 of the Tamil Nadu Town and Country Planning Act, 1971 (TN Act 35 of 1974) and consequently direct the respondents herein to issue appropriate order releasing the petitioner Private Ltd Company property situated in Ward No.C, Block No.1, in old TS.No.5/14, New T.S.No.5 /43 having an extent of 5306.078 sq.ft out of 19920.25 at Vellittirumuttam Village, Srirangam Taluk, Trichy District forming part of the 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 R4
Mr.R.Baskaran, Standing Counsel for R5

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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. By virtue of Section 38 of the Tamil Nadu Town and Country Planning Act, 1971, the proceedings are deemed to have lapsed and the land itself stood released from such reservation. Therefore, giving effect to the statutory mandate, it is declared that the petition mentioned lands stand released. The writ petition is allowed. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

skm

To

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