



W.P.(MD).No.20916 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.07.2022

CORAM

THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

W.P.(MD).No.20916 of 2021

Veerabahu

... Petitioner

Vs.

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

2.The Member Secretary,
Madurai Town and Country Planning Authority,
Corporation Building,
Madurai.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Declaration, to declare the reservation made in respect of the petitioner's land in T.S.No.132, Ponmeni Village, Madurai forming part of the Ponmeni Detailed Developing Plan No.3 and L.P/R (MR) No.28/80 to have lapsed in light of Section 38 of the Tamil Nadu Town and Country Planning Act, 1971 (TN ACT 35 of 1974) and the decision of this Court in Kannabiran vs. The Director of Town and Country Planning, W.P.(MD).No.8515 of 2021 dated 25.06.2021, within the period that may be stipulated by this Court.



W.P.(MD).No.20916 of 2021

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

ORDER

Heard the learned counsel on either side.

2. The petition mentioned land was included in the Ponmeni Detailed Development Plan No.3, which was published in the year 1994, as a scheme road. Since the consequential acquisition steps have not been taken within the next three years, in view of the statutory mandate contained under Section 38 of the Tamil Nadu Town and Country Planning Act, 1971, the said reservation is deemed to have lapsed. Declaration is accordingly granted. The respondents are directed to make necessary changes in the relevant records.

3. This Writ Petition is allowed accordingly. There shall be no order as to costs.

08.07.2022

Index : Yes / No
Internet : Yes/ No
Lm



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- To
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G.R.SWAMINATHAN, J.

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