



W.P.(MD) No.19846 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.08.2024

CORAM

THE HONOURABLE Ms.JUSTICE P.T.ASHA

W.P.(MD) No.19846 of 2024

K.Shanbagarani

... Petitioner

/vs./

1.The Director of Town and Country Planning,
Directorate of Town and Country Planning,
No.807, Annasalai, Chennai -2.

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

3.The Commissioner,
Dindigul Corporation,
Dindigu, Dindigul District.

4.The Deputy Director/District Town,
and Country Planning Officer,
Dindigul District Town and Country Planning Office,
No.14, Vivekananda Nagar, Dindigul.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Declaration, to declare the reservation made in respect of the petitioner land to an extent of 19,000 Sq.ft. situated in Old TS No.1965/2A new TS No.39/1A1 PART situated at Ward No.6 Adhiyanuthu Part, Balakrishnanpuram Part, Dindigul District forming part of the Balakrishnapuram



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Race Course Detailed Development Plan II Scheme 2001 had lapsed in light of Section 38 of the Tamil Nadu Town and Country Planning Act 1971 (TN Act 35 of 1974).

For Petitioner : Mr.K.Jagadeesan
For R1, R2 & R4 : Mr.B.Saravanan
Additional Government Pleader
For R3 : Mr.J.Lawrance

ORDER

The above writ petition has been filed for a Writ of Declaration to declare that the reservation made in respect of the petitioner's land situated in Old TS No. 1965/2A new TS No.39/1A1 PART at Ward No.6, Adhiyanuthu Part, Balakrishnanpuram Part, Dindigul District had lapsed, in light of Section 38 of the Tamil Nadu Town and Country Planning Act 1971 (TN Act 35 of 1974).

2. The learned Additional Government Pleader, on instructions, would submit that the respondents have not taken possession of the land in question for over 5 years and there is no intention to further acquire the said land. In this regard, he has produced a copy of the communication of the fourth respondent, namely, the Deputy Director/District Town and Country Planning Officer, Dindigul, dated 29.08.2024, wherein it had been held as under:



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3. Recording the submission of the learned Additional Government Pleader,
the Writ Petition stands allowed. No costs.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

29.08.2024

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To

- 1.The Director of Town and Country Planning,
Directorate of Town and Country Planning,
No.807, Annasalai,
Chennai -2.
- 2.The Member Secretary,
Dindigul Local Planning Authority,
Dindigul.
- 3.The Deputy Director/District Town,
and Country Planning Officer,
Dindigul District Town and Country Planning Office,
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P.T.ASHA, J.

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