



W.P.(MD)No.25554 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.10.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.(MD)No.25554 of 2024

K.P.Kannan

... Petitioner

/Vs./

1.The Director of Town and Country Planning,
No.807, Anna Salai,
Chennai - 02.

2.The Joint Director / Member Secretary,
District Town and Country Planning Office,
Trichy.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Declaration, declaring the reservation made in respect of the petitioner's property in TS No.2434, Block-48, Ward-C, Srirangam Town, Trichirappalli District to an extent of 32 cents (12 Ares and 86.5 Sq. Meters) as deemed to be released from such reservation as per Section 38 of the Tamil Nadu Town and Country Planning Act and consequently directing the respondents to issue appropriate orders to release the petitioner's property within the time stipulated by this Court.



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For Petitioner : Mr.A.S.Abul Kalaam Azad

For Respondents : Mr.D.Sadiq Raja

Additional Government Pleader

ORDER

This writ petition has been filed for the release of the petitioner's property mentioned in the writ prayer from land acquisition under Section 38 of the Tamil Nadu Town and Country Planning Act, 1971.

2. Heard Mr.A.S.Abul Kalaam Azad, learned counsel appearing for the petitioner, and Mr.D.Sadiq Raja, learned Additional Government Pleader appearing for the respondents.

3. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

4. The learned Additional Government Pleader appearing for the respondents has received written instructions from the respondents that the subject property belonging to the petitioner can be released under



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Section 38 of the Tamil Nadu Town and Country Planning Act, 1971, since the land acquisition has got lapsed. In view of the same, this writ petition will have to be allowed.

5. Accordingly, this writ petition is allowed. The prayer sought for in this writ petition is granted by declaring that the reservation made in respect of the petitioner's property in TS No.2434, Block-48, Ward-C, Srirangam Town, Trichirappalli District measuring to an extent of 32 cents (12 Ares and 86.5 Sq. Meters) is deemed to be released from such reservation under Section 38 of the Tamil Nadu Town and Country Planning Act, 1971. No costs.

25.10.2024

Index : Yes / No
NCC : Yes / No
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ABDUL QUDDHOSE, J.

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TO:-

- 1.The Director of Town and Country Planning,
No.807, Anna Salai,
Chennai - 02.
- 2.The Joint Director / Member Secretary,
District Town and Country Planning Office,
Trichy.

Order made in
W.P.(MD)No.25554 of 2024

Dated:
25.10.2024