



W.A.(MD) No.1610 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.09.2024

CORAM

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR.JUSTICE SUNDER MOHAN**

**W.A.(MD) No.1610 of 2024
and
C.M.P.(MD) No.12576 of 2024**

- 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 Tiruchirappalli,
Local Planning Authority,
Tiruchirappalli.
- 4.The Deputy Director of Town and Country
Planning/Member Secretary,
Tiruchirappalli Local Planning Authority,
Kajamalai Main Road, Kajamalai,
Tiruchirappalli - 620 023.
- 5.The Commissioner,
Trichy Corporation,
Trichy.

... Appellants

Vs.



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1.K.Devakumar
S/o.S.Kasiraj

2.D.Manju
W/o.K.Devakumar

3.K.Babu
S/o.Kasiraj

... Respondents

Prayer:- Writ Appeal filed under Clause 15 of the Letters Patent, praying to set aside the order dated 27.09.2023 made in W.P.(MD) No.21772 of 2023.

For Appellants : Mr.S.R.A.Ramachandran
Additional Government Pleader

For Respondents : Mr.S.Senthil

J U D G M E N T

[Judgment of the Court was made by R.SUBRAMANIAN, J.]

This Writ Appeal is filed against the order dated 27.09.2023, passed in W.P.(MD) No.21772 of 2023.

2. While allowing the Writ Petitions filed by the landowners whose lands were notified under the detailed development plan but not acquired within the statutory period prescribed under Section 38 of the Tamil Nadu



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Town and Country Planning Act, 1971, the Writ Court imposed a cost of Rs.5,000/- payable to each of the writ petitioners.

3. Another Division Bench of this Court, by its judgment dated **02.04.2024**, made in **W.A.(MD)No.534 of 2024** [***The Directorate of Town and Country Planning and another vs. Gokila***], has modified the order of the Writ Court, setting aside the cost portion alone. This was done following an earlier judgment of the Division Bench of this Court dated **19.03.2024**, made in **W.A. (MD)No.414 of 2024** [***The Director of Town and Country Planning and others vs. P.Shanthalakshmi***].

4. In view of the above, this Writ Appeal is partly allowed. The direction for payment of cost alone is set aside and the other portions of the order of the Writ Court, dated 27.09.2023, made in W.P.(MD) No. 21772 of 2023, are sustained. No costs. Consequently, the connected Miscellaneous Petition is closed.

R.S.M., J. S.M., J.
23.09.2024

Index: No
Neutral Citation: No
Speaking Order
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