



W.P.No.40503 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2025

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THE HON'BLE Mr.JUSTICE V.LAKSHMINARAYANAN

W.P.No.40503 of 2025

Bondada Sitarama Chandra Murti

.... Petitioner

Vs

1.Union of India

The Government of Puducherry
Rep. by its Chief Secretary
Chief Secretariat
Goubert Avenue
Puducherry – 605 001.

2.The Chief Town Planner

Town & Country Planning Department
Jawahar Nagar, Bhoomianpet
Reddiarpalayam, Puducherry – 605 005.

3.The Member Secretary

Yanam Planning Authority
Yanam
Puducherry UT – 533 464.

.... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 to 3 (one to three) to pass necessary orders to reclassify the land zone owned and



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enjoyed by our family since 1987, from Industrial Zone into Commercial cum Residential Zone, measuring about Acres 1.31 cents being part of the larger extent of land comprised in T.S.No.A/9/28/19Apt, R.S.No.124pt, C.S.No.125/2pt, 125 bis pt and 131/2pt situate in Industrial Zone, Mettacur, Yanam, Puducherry UT and pass orders.

For Petitioner : Mr.S.Venkata Krishna Kumar

For Respondents : Mr. A.Tamilvanan
Additional Government Pleader
for R1 to R3

ORDER

Heard Mr.S.Venkata Krishna Kumar for petitioner and Mr.A.Tamilvanan for the respondents.

2. The petitioner seeks change in the land zone from industrial to commercial and residential zone, for the lands situated in T.S.No.A/9/28/9 and T.S.No.A/9/28/19pt at Draksharama Road, Yanam, Union Territory of Puducherry. The petitioner has been approaching the respondents from April 2018 onwards. Initially, the respondents have informed that a Comprehensive Development Plan is contemplated for Yanam, and when



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the said development plan is brought into force, the petitioner's request would be considered. Accordingly, in the Comprehensive Development Plan drafted for the Yanam Town, the land use of the petitioner had been notified as commercial. Objections were called for in October 2023. After receipt of the same, it was submitted to the Government for final approval, a year later, on 10.10.2024.

3. This plan was placed before His Excellency the Lieutenant Governor of Puducherry, who has suggested certain modifications regarding the change in land uses for flood prone / Gowthami-Godavari river margin areas, before the finalisation of Comprehensive Development Plan.

4. The respondents, therefore, decided to consult the expertise of National Institute of Urban Affairs (NIUA), New Delhi. The said Institute also submitted its opinion on 12.08.2025. The report is said to have discussed by the Yanam Planning Authority on 07.10.2025.

5. As the petitioner has been patiently waiting from 2018 onwards, and finding no solution to his issues, despite having approached this Court



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on more than one occasion, he was constrained to file the present writ petition.

6. On the day of admission (i.e., on 30.10.2025), I requested Mr.A.Tamilvanan to take notice for the respondents and get proper instructions from the Yanam Town Planning Authority. Mr.A.Tamilvanan reports today, that the Chief Town Planner had instructed him, that the proposal for final notification will be sent to the Government at the earliest and will be finalised within a period of three months from today. The instructions given to Mr.A.Tamilvanan, which is passed across to this Court, is scanned and extracted hereunder :



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**No. 3536/TCP/CDP/YANAM/2025
GOVERNMENT OF PUDUCHERRY
TOWN AND COUNTRY PLANNING DEPARTMENT**

Puducherry, dated 06.11.2025.

To

The Government Pleader for Government of Puducherry,
Office of the Government Pleader for Puducherry,
High Court Campus,
Chennai – 600 104.

Sir,

Sub: TCPD-W.P.No. 40503/2025 on the file of High Court, Madras - Status of Notification of Comprehensive Development Plan for Yanam Region- Reg.

Kindly refer to the subject cited above. Sri Bondada Sitaramachandra Murthi filed the W.P.No. 40503/2025 in the Hon'ble High Court, Madras seeking land use change from "Industrial" to "Commercial and Residential" for the land in T.S. No. A/9/28/9 and A/9/28/19pt, Draksharama Road, Yanam. Earlier the petitioner already filed an appeal with the Town and Country Planning Board seeking the land use change on 12.04.2018. The Member Secretary, Town and Country Planning Board has already replied to the petitioner that his appeal for conversion of land use will be examined while formulating proposals in the Draft Comprehensive Development Plan, vide letter No. 375/TCP/Board/JTP(Pig)/2019/843, dated 15-05-2019.

It is submitted that the Draft Comprehensive Development Plan has been prepared and the land use of the petitioner has been proposed to be "Commercial" as per the Draft Comprehensive Development Plan of Yanam and the same was notified in the official Gazette No. 126 dated 26.10.2023 for calling of objections from the Public. Thereafter revised Comprehensive Development Plan along with land use map have been prepared and submitted to the Government for issue of necessary approval of the Government for issue of Final Notification as stipulated under Section 32 of the Town and Country Planning Act, 1969 on 10.10.2024.

The revised Comprehensive Development Plan for Yanam was discussed with the Hon'ble Lieutenant Governor on 10.12.2024. After detailed discussion it was directed to modify and resubmit the proposal after collect the flood details of river Gowthami – Godavari at Yanam region from the Godavari River Authority, Andhra Pradesh for the past 50 Years to analyze the flood and its impact in order to devise flood control measure to alleviate the problems, before taking decisions regarding the land uses in the flood prone / river margin areas in Yanam region for finalizing the Comprehensive Development Plan.



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As directed, the information regarding flood particulars was collected on 28.12.2024. Thereafter it is proposed to obtain opinion / suggestion from the expert of National Institute of Urban Affairs (NIUA), New Delhi. The NIUA has submitted their views on 12.08.2025. The above said report was also discussed in the Yanam Planning Authority in its meeting held on 07.10.2025. The proposal for final notification will be submitted to the Government at the earliest and the same will be completed within 3 months' time.

The above facts may kindly be apprised to the Hon'ble High Court.

Yours faithfully,

(K.VEERASELVAM)
CHIEF TOWN PLANNER

End: as above

7. The petitioner has been patiently waiting only for a period of seven years. It is unfortunate that he is unable to enjoy the property in the way he desires, on account of the manner in which the comprehensive development plan for a tiny town of Yanam, has been dealt by the respondents. The petitioner, unlike few other fellow citizens, has not taken the law into his hands and breached any condition, in violation of the land zone use. The authorities should come to the assistance of such persons who have been waiting for seven years and above, instead of delaying the matter by shuttling the files from Yanam to Puducherry, and from Puducherry to Yanam. Such delay certainly does not assist or encourage the respect of a land zone user.



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WEB COPY 8. In any event, the Chief Town Planner of the Town and Country Planning Department, Government of Puducherry has undertaken before this Court that the entire exercise will be completed within a period of three months. This writ petition is disposed of, recording the same as the undertaking given by the said Authority, to this Court. Needless to add, in case there is any breach thereof, the petitioner need not trouble the Court again by way of another writ petition, but would be free to initiate contempt action, for which, appropriate orders would be passed by this Court. No costs.

07.11.2025

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation: Yes / No

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V.LAKSHMINARAYANAN,J.

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