



W.P.(MD)No.6382 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.6382 of 2025

I.Selvaraj

: Petitioner

Vs.

1. The Director,
Office of the Town and Country Planning,
2nd, 3rd and 4th Floor, C Market Road,
Koyembedu,
Chennai - 600 107.

2. The Joint Director/member Secretary,
Town and Country Planning,
Trichy Region,
No.11, Kajamalai Main Road,
Thamarai Nagar,
Kajamalai Colony,
Trichy,
Thiruchirapalli District.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Declaration, to declare the reservation made in respect of the petitioners house site plots situated at Plot No.2 and 4 to an extent of 2070 sq. fts and 2300 sq. fts respectively at Ranga Nagar South Extension, Uyyakondan Thirumalai Village, S.F.No.36/4 forming



W.P.(MD)No.6382 of 2025

part of Thiruchirappalli Local Planning Area Uyyakondan Thirumalai Detailed Development Plan No.02, Map. No.4, DTCP No.05/2005 dated 09.02.2005 has been lapsed in the light of Section 38 of Tamil Nadu Town and Country Planning Act 1971 within the period that may be stipulated by this Honourable High Court.

For Petitioners : Mr. K.Viralinathan

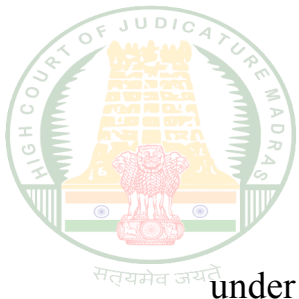
For Respondents : Mr.C.Venkatesh Kumar

Spl. Govt. Pleader

ORDER

This Writ Petition has been filed to declare the reservation made in respect of the petitioner's land situated at Plot No.2 and 4 to an extent of 2070 sq.fts. and 2300 sq.fts., respectively, at Ranga Nagar South Extension, Uyyakondan Thirumalai Village, S.F.No.36/4 forming part of Thiruchirappalli Local Planning Area Uyyakondan Thirumalai Detailed Development Plan No.02, Map. No.4, DTCP No.05/2005 dated 09.02.2005, has been lapsed in the light of Section 38 of Tamil Nadu Town and Country Planning Act 1971.

2.The petitioner claims that he is the owner of the subject property and that he only became aware that the property is included



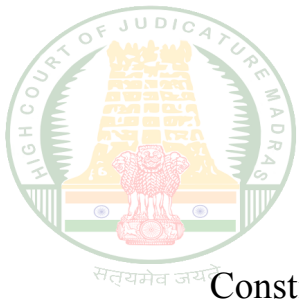
W.P.(MD)No.6382 of 2025

WEB COPY

under the "Thiruchirappalli Local Planning Area Uyyakondan Thirumalai Detailed Development Plan No.02, Map. No.4" when he made a draft application to the second respondent seeking plan approval. The petitioner asserts that he was neither informed nor provided with any notice prior to the notification of the said Detailed Development Plan. In this regard, the petitioner submitted a representation on 24.02.2025 to the respondents, requesting to release the land in question from the proposed Detailed Development Plan. However, as no action has been taken on the representation, the petitioner has now approached this Court by filing the present Writ Petition.

3. Heard both sides.

4. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the



W.P.(MD)No.6382 of 2025

WEB COPY

Constitution of India and direct them to consider the same within a stipulated time.

5. In the light of the above observations, there shall be a direction to the second respondent to consider the petitioner's representation dated 24.02.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, as well as all other persons, who may be interested in the subject matter, within a period of four weeks from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the second respondent to consider the same on its own merits.

6. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

11.03.2025

Index : Yes / No

Internet : Yes / No

PKN



W.P.(MD)No.6382 of 2025

To

WEB COPY

1. The Director,
Office of the Town and Country Planning,
2nd, 3rd and 4th Floor, C Market Road,
Koyembedu,
Chennai - 600 107.

2. The Joint Director/member Secretary,
Town and Country Planning,
Trichy Region,
No.11, Kajamalai Main Road,
Thamarai Nagar,
Kajamalai Colony,
Trichy,
Thiruchirapalli District.



WEB COPY



W.P.(MD)No.6382 of 2025

VIVEK KUMAR SINGH, J.

PKN

W.P.(MD) No.6382 of 2025

11.03.2025