



W.P.(MD)No.11178 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.11178 of 2025

J.Ragunandan

... Petitioner

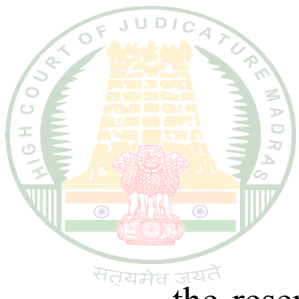
-VS-

1.The Director of Town and Country Planning,
2,3 and 4th Floor, B, CMDA Office Campus,
E and C, Market Road,
Koyambedu, Chennai.

2.The Member Secretary,
Madurai Local Planning Authority,
Sector 6, Anaiyur,
Madakkathan Main Raod,
Koodalpudur, Madurai - 17.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Declaration, declaring that the reservation made in respect of the petitioner's land in UDR Survey No.34/8, Old Patta No.1450, New Patta No.7135 with an extent of 50 cents and the property in UDR Survey No.34/9, Old Patta No.1451, New Patta No.7136 with an extent of 50 cents and the property in UDR Survey 34/10, Old Patta No.1449, New Patta No.7137 with an extent of 1 Acre situate in Siruthur Village, Madurai North Taluk, Madurai District under Siruthur Detailed Development Plan Part - IV is deemed to be lapsed and released from



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the reservation in the light of Section 38 of the Tamil Nadu Town and Country Planning Act, 1971 (TN Act 1974).

For Petitioner : Mr.P.Gunasekaran
For Respondents : Mr.C.Venkatesh Kumar
Special Government Pleader

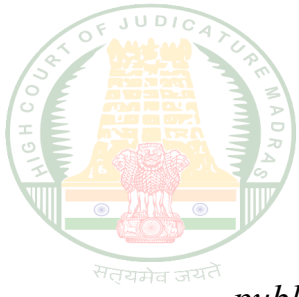
ORDER

Heard the learned counsel appearing on either side.

2. The petition mentioned land was included in the Detailed Development Plan and published in the official Gazette and the same was approved under Section 29 of the Tamil Nadu Town and Country Planning Act, 1971, by the first respondent in 1997, which was 28 years ago. However, no consequential steps for acquisition have been taken since then. Section 38 of the Tamil Nadu Town and Country Planning Act, 1971, reads as follows:-

"38. Release of land.- If within three years from the date of the publication of the notice in the Tamil Nadu Government Gazette under section 26 or section 27 -

(a) no declaration as provided in sub-section (2) of section 37 is



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published in respect of any land reserved, allotted or designated for any purpose specified in a regional plan, master plan, detailed development plan or new town development plan covered by such notice; or

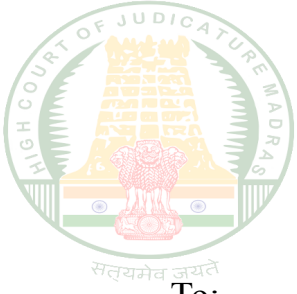
(b) such land is not acquired by agreement, such land shall be deemed to be released from such reservation, allotment or designation."

3. Applying the aforesaid statutory mandate and in view of the inaction on the part of the respondents, it is declared that the reservation made in respect of the petition mentioned land had lapsed. Therefore, the respondents are directed to effect consequential changes in the relevant records.

4. This Writ Petition is allowed accordingly. There shall be no order as to costs.

NCC : Yes / No
Index : Yes / No
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VIVEK KUMAR SINGH, J.

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