



W.P.(MD)No.15509 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD)No.15509 of 2025

K.Jamuna Begam

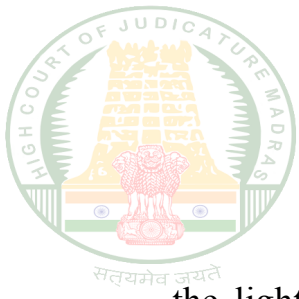
... Petitioner

-VS-

- 1.The Director,
O/o. Town and Country Planning,
2nd, 3rd and 4th Floor, C Market Road,
Koyambedu, 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 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 land situated Thiruchirappalli West, Thiruchirappalli City Corporation - Ko.Abhisekapuram Zone, Ward - 1 Pandamangalam, Block – 10, Old S.F.No. 139/2, New T.S.No.16/2 to an extent of 1 Acre and 17 Cents from Thiruchirapalli Local Planning Area Pandamangalam Detailed Development Plan No.03 (Map Nos.4 and 5) DDTP(V)/DTCP/No.24/2008 dated - 09.2008, has been lapsed in



W.P.(MD)No.15509 of 2025

the light of Section 38 of Tamil Nadu Town and Country Planning Act, 1971 within the period that may be stipulated by this Court.

For Petitioner : Mr.K.Viralinathan

For Respondents : Mr.D.Ghandiraj
Special Government Pleader

ORDER

Mr.D.Ghandiraj, learned Special Government Pleader takes notice for the respondents and submits that there is no proposal to develop the land pursuant to the Thiruchirapalli Local Planning Area Pandamangalam Detailed Development Plan No.3. The statement made by the learned Special Government Pleader for the respondents is recorded.

2. That apart, as per Section 38 of the Tamil Nadu Town and Country Planning Act, 1971, if within three years from the date of publication of the notice in the Tamil Nadu Government Gazette under Section 26 or 27 of the said Act, no declaration as provided under sub-section (2) of Section 37 of the said Act is 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 development plan covered by such notice, such land shall be deemed to have been released from reservation unless it has been acquired.



W.P.(MD)No.15509 of 2025

WEB COPY

3. In the present case, no such acquisition has taken place till date. In a series of judgments of this Court, it has been consistently held that the reservation made in respect of land under the aforementioned Detailed Development Plan is deemed to have lapsed. This position has been affirmed in **W.P.(MD)No.3937 of 2024**, dated **21.02.2024** (**B.Manikandan vs. The Director, Town and Country Planning and another**) and **W.P.(MD)No.22577 of 2024**, dated **24.09.2024** (**E.Deepa and others vs. The Director of Town and Country Planning and another**). Accordingly, the land in question is deemed to have been released from reservation.

4. The Writ Petition stands allowed with the above observation. No costs.

NCC : Yes / No

10.06.2025

Index : Yes / No

smn2

To:-

- 1.The Director,
O/o. the Town and Country Planning,
2nd, 3rd and 4th Floor, C Market Road,
Koyambedu, 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.15509 of 2025

C.SARAVANAN, J.

smn2

W.P.(MD)No.15509 of 2025

10.06.2025