

W.P(MD)Nos.20384 to 20388 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.08.2025

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD)Nos.20384 to 20388 of 2025

W.P(MD)No.20384 of 2025

M/s.John Buildwell India Private Limited,
Rep by its Managing Director,
Mr.S.Maria Antony,
10/2, Sivalaperi Road,
Palayamkottai Taluk,
Palayamkottai,
Tirunelveli District.

... Petitioner

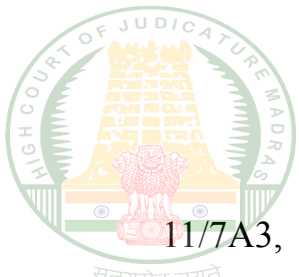
Vs.

1.The Director of Town and Country Planning,
Directorate of Town and Country Planning,
CMDA Office Complex, E and C, Market Road,
Srinivasa Nagar, Virugambakkam,
Koyambedu,
Chennai.

2.The Assistant Director / Member Secretary,
The District Town and Country Planning Office,
Tirunelveli District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Declaration, to declare the reservation qua the petition mentioned lands of the Petitioner Company Comprised in S.No. 11/4B1, 11/4B2, 11/4B3, 11/5A, 11/5B, 11/5C, 11/7A1, 11/7A2,



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11/7A3, 6/10A, 6/10B, 6/10C, 6/10E, 7/1A, 7/1C, 12/2C, 13/1, 15/3, 6/9, 10/4, 15/3, 11/1B, 6/11C1, 6/11C2, 11/3B1, 11/3B2, 12/3A, 12/3B, 14/3, 15/2, 6/10D, 10/1, 6/2A1, 6/5, 6/13, 13/2, 5/2A, 5/2B, 5/5A, 5/5B, 8/3, 11/7B2, 16/2A, 16/3, 16/4, 11/6A, 11/6B, 11/6C, 9/1, 58/1, 58/5, 10/2B, 9/3A, 9/2, 7/4A, 6/9, 11/1A, 11/1B, 12/2C, 10/4, 6/4, 17/2, 12/1A, 12/2B, 12/4A, 12/4B, 12/4C, 15/4, 13/2, 13/3, 14/1A, 14/1B, 14/4B, 14/4C, 15/5, 40/1A, 40/1B, 6/5, 6/12, 8/2, 11/8A, 11/8B at Rajagopalapuram Village, Palayamkottai Taluk, Tirunelveli District under the Tirunelveli Local Planning Authority Rajagopalapuram Detailed Development Plan No.2 to have lapsed in the light of Section 38 of the Tamil Nadu Town and Country Planning Act, 1971, within time stipulated by this Court.

For Petitioner : M/s.Jasima Yasmin
For M/s.Ajmal Associates

For Respondents : Mr.D.Ghandiraj
Special Government Pleader

W.P(MD)No.20385 of 2025

1.S.Ashok Kumar
2.M.Maria Antony
3.M.Maria Babu Ramesh
4.Mary Johnia Sheeba

... Petitioners

Vs.

1.The Director of Town and Country Planning,
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CMDA Office Complex, E and C, Market Road,
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For Petitioners : M/s.Jasima Yasmin
For M/s.Ajmal Associates

For Respondents : Mr.D.Ghandiraj
Special Government Pleader

W.P(MD)No.20386 of 2025

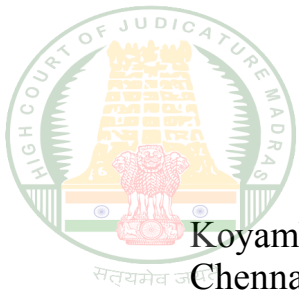
S.Maria John

... Petitioner

Vs.

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W.P(MD)Nos.20384 to 20388 of 2025

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2.The Assistant Director / Member Secretary,
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...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Declaration, to declare the reservation qua the lands comprised in S.Nos. 40/1E, 41/3B, 58/1, 58/5, 59/1, 59/3, 55/3, 55/4, 5/4, 3/3A2B, 56/1, 6/3A (T.S.No.21/7), 6/11A (T.S.No.21/21), 6/11B (T.S.No.21/22) 11/3A (T.S.No.59/2), 40/1D (T.S.No.15/9), 59/2 (T.S.No. 53/2), 56/2, 42/3A, 57/2, 57/4A, 42/1, 57/3, 56/2, 6/17A, 11/3A, 10/4, 41/3D, 54/4A, 58/4, 54/4B, 45/4B, 40/3, 41/1, 58/6 (T.S.No.52/6), 45/4D, 40/1C1, 40/1B1, 45/4C and 59/4 (T.S.No.53/4) at Rajagopalapuram Village, Palayamkottai Taluk, Tirunelveli District under the Tirunelveli Local Planning Authority Rajagopalapuram Detailed Development Plan No. 2 to have lapsed in the light of Section 38 of the Tamil Nadu Town and Country Planning Act 1971 within time stipulated by this Court.

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For M/s.Ajmal Associates

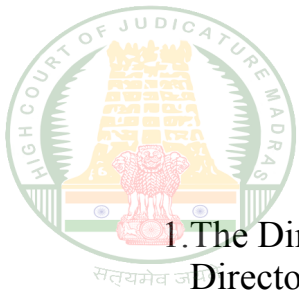
For Respondents : Mr.D.Ghandiraj
Special Government Pleader

W.P(MD)No.20387 of 2025

Perumal Ragu

... Petitioner

Vs.



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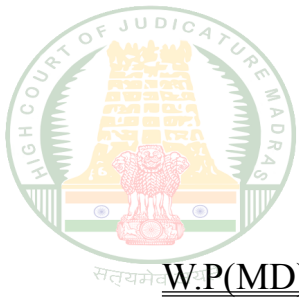
2. The Assistant Director / Member Secretary,
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Tirunelveli District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Declaration, to declare the reservation qua the lands comprised in S.Nos. 60/2, 60/3C, 61/2, 64/3C3, 64/3C1, 16/3, 19/3, 60/3D, 53/2, 52/2, 62/5B, 16/4 (T.S.No.27/1), 17/1(T.S.No.22/1), 18/2(T.S.No.21/2), 20/2(T.S.No.20/2), 21/2(T.S.No.19/2), 47/1E2(T.S.No.1/6), 48/3(T.S.No.7/3), 49/1B(T.S.No.6/4), 52/3(T.S.No.1/3), 53/3A(T.S.No.2/4), 58/6(T.S.No.52/6), 60/3F(T.S.No.55/8), 64/4A(T.S.No.46/7), 64/4B(T.S.No.46/6), 50/3, 51/3, 63/3B2, 18/4, 60/3A, 17/3, 20/4, 49/3A, 21/4, 49/1G2, 10/1, 47/1A, 48/7, 49/1F, 52/1, 53/1, 17/2, 18/3, 20/3, 21/3, 64/2A, 64/2C and 64/2D at Rajagopalapuram Village, Palayamkottai Taluk, Tirunelveli District under the Tirunelveli Local Planning Authority Rajagopalapuram Detailed Development Plan No. 2 to have lapsed in the light of Section 38 of the Tamil Nadu Town and Country Planning Act 1971 within time stipulated by this Court.

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For M/s.Ajmal Associates

For Respondents : Mr.D.Ghandiraj
Special Government Pleader



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S.Raju

... Petitioner

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Directorate of Town and Country Planning,
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...Respondents

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For Respondents : Mr.D.Ghandiraj
Special Government Pleader

COMMON 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 Tirunelveli Local Planning Authority Rajagopalapuram Detailed Development Plan No. 2. 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



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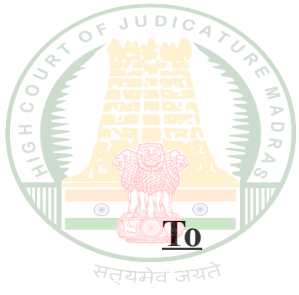
land shall be deemed to have been released from reservation unless it has been acquired.

3. In the present cases, 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 Kochadai Detailed Development Plan No.7 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. These Writ Petitions stand allowed with the above observation. No costs.

01.08.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

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C.SARAVANAN, J.

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