



W.P.(MD) No.20691 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.20691 of 2025

- 1.Swaminathan
- 2.Ranjith Kumar
- 3.Chithra
- 4.Tamil Selvan
- 5.Divya
- 6.Harini
- 7.Raja
- 8.Murugan
- 9.Sivaraman
- 10.Kala

... Petitioners

/vs./

- 1.The Director,
Directorate of Town and Country Planning
2nd, 3rd and 4th Floor, C & E Market Road,



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Koyembedu,
Chennai 600 107.

2.The Member Secretary,
Thanjavur Local Planning Authority
No.5, Ganapathi Nagar 2nd Street,
Medical College Road,
Thanjavur 613 007.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents No.1 and 2 to release the petitioner's land with an extent of 2 Acre 65 cents in Survey number: 222/3, 222/4, 222/5, 222/10 situated at Natchiyar Thottam, Kumbakonam Taluk, Thanjavur District treating the Palavanthankattalai Detailed Development Plan 4 as lapsed under Section 38 of the Tamil Nadu Town and Country Planning Act, 1971.

For Petitioners : Mr.R.Karunanidhi

For Respondents : Mr.D.Ghandiraj
Special Government Pleader

ORDER

Mr.D.Ghandiraj, learned Special Government Pleader takes notice for the respondents.



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2.The writ petition has been filed for a Mandamus to direct the respondents 1 and 2 to release the petitioners' land in S.Nos.222/3, 222/4, 222/5 and 222/10 situated at Natchiyar Thottam, Kumbakonam Taluk, Thanjavur District.

3.The issue is no longer *res integra*. In respect of the very same land, an order has already been passed by this Court on 25.06.2025 in W.P.(MD) No. 26565 of 2024, content of which reads as under:-

“The writ petition has been filed for a Writ of Declaration to declare that the reservation in respect of petitioner's land situate in Survey Nos.42/1, 42/11, 42/16 (part) and 42/17 (part), Ward-G, Vadasery Village, Agastheeswaram Taluk, Kanyakumari District under Vetturimadam South Detailed Development Plan-IV as having lapsed, in light of Section 38 of the Tamil Nadu Town and Country Planning Act, 1971.

2.The learned Government Advocate for the respondents confirms that the land that was earmarked under Vetturimadam South Detailed Development Plan-IV has not been acquired by the respondents as is contemplated under Section 38 of the Tamil Nadu Town and Country Planning Act, 1971.

3.Several judgments have also been passed by this Court in terms of Section 38 of the Tamil Nadu Town and Country Planning Act, 1971.

4.Therefore, this Writ Petition is liable to be allowed and is accordingly, allowed. No costs.”



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4.Considering the same, the Writ Petition deserves to be allowed and is accordingly, allowed. No costs.

Index : Yes / No
Internet : Yes / No
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C.SARAVANAN, J.

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