



W.P.(MD) No.24373 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.09.2025

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.24373 of 2025

Ashok Kumar

.. Petitioner

Vs.

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

2.The Member Secretary,
Town and Country Planning Authority,
Mudakkathan Main Road,
Koodal Pudur,
Madurai – 625 017.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents No. 1 and 2 to release the petitioner's land with a total extent of 1 Acre 74 Cents situated in Town Survey No.127/3, Uthangudi Village, Madurai District earmarked for the “Madurai Local Planning Area Uthangudi



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South Detailed Development Plan No.2, bearing Map No.D.D.P/DY.D.T & C.P (MR) No.24/2005” by treating the plan as lapsed under Section 38 of the Town and Country Planning Act 1971 within a stipulate time that may be fixed by this Court.

For Petitioner : Mr.R.Karunanidhi

For Respondents : Mr.A.Kannan
Additional Government Pleader

ORDER

This writ petition is filed for the following relief:

To direct the respondents No.1 and 2 to release the petitioner's land with a total extent of 1 Acre 74 Cents situated in Town Survey No.127/3, Uthangudi Village, Madurai District earmarked for the “Madurai Local Planning Area Uthangudi South Detailed Development Plan No.2, bearing Map No.D.D.P/DY.D.T & C.P (MR) No.24/2005” by treating the plan as lapsed under Section 38 of the Town and Country Planning Act 1971 within a stipulate time that may be fixed by this Court.”

2. Heard the learned counsel on either side.

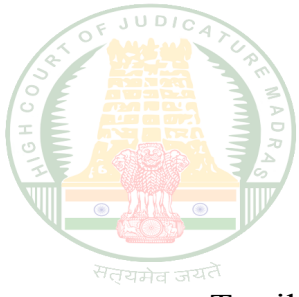


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3. The learned Additional Government Pleader submits that the lands under the proposed detailed development plan proposed in the year 2005, which is the subject matter of this writ petition has not been acquired by the Government.

4. Since the acquisition has not been made, within a period of three years from the year 2005 or subsequently under Section 37(2) of Tamilnadu Town and Country Planning Act, 1971, the land shall be deemed to be released from acquisition as per Section 38 of the Tamilnadu Town and Country Plan Act, 1971. Since the respondents have failed to comply with the statutory requirements under Section 37 of the Tamilnadu Town and Country Planning Act, the lands measuring an extent of 1 Acre 74 Cents situated in Town Survey No.127/3, Uthangudi Village, Madurai District, earmarked for the “Madurai Local Planning Area Uthangudi South Detailed Development Plan No.2, bearing Map No.D.D.P/DY.D.T & C.P (MR) No.24/2005, is deemed to be lapsed and released from reservation in the light of Section 38 of the



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Tamil Nadu Town and Country Planning Act, 1971.

5.Accordingly, this writ petition is allowed. No costs.

11.09.2025

NCC : Yes/No

Index : Yes/No

Internet : Yes

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To

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P.T.ASHA, J.

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