



W.P.(MD)No.26852 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 06.10.2025

CORAM:

THE HON'BLE MS.JUSTICE P.T.ASHA

W.P.(MD).No.26852 of 2025

and

W.M.P(MD)No.21076 of 2025

1. A.Shanthi
2. M.S.Suresh
3. M.Padma

... Petitioners

Vs.

1. The Director,
O/o.Town and Country Planning,
2nd, 3rd and 4th Floor, C Market Road,
Koyembedu,
Chennai 600107.
2. The Joint Director/ Member Secretary,
Town and Country Planning,
Trichy Region,
No.11, Kajamalai Main Road,
Thamarai Nagar,
Kajamalai Colony,
Trichy,
Tiruchirapalli District.

... Respondents



W.P.(MD)No.26852 of 2025

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 made in respect of the petitioners' land situated at Srirangam Town, Ward C, Block 1, T.S.No.118/2, Vellithirumutham (P) T.Samuthiram (P), Jamubukeshwaram (P) Village to an extend of 1 Acre 6 ½ cents from Tiruchirappalli Local Planning Area Bye-Pass Road Detailed Development Plan No.II, Map.No. 5 DDTP(V)/DTCP/Spl.CTCP.No. 15/2002 dated 21.02.2002 has been lapsed in the light of Section 38 of Tamil Nadu Town and Country Planning Act 1971 within the period that may be stipulated by this Honble High Court.

For Petitioner	: Mr.K.Viralinathan
For R1 to R2	: Mr.A.Kannan
	Additional Government Pleader

ORDER

This writ petition has been filed seeking for issuance of writ of Declaration to declare the reservation made in respect of the petitioners' land situated at Srirangam Town, Ward C, Block 1, T.S.No.118/2, Vellithirumutham (P) T.Samuthiram (P), Jamubukeshwaram (P) Village to an extend of 1 Acre 6 ½ cents from Tiruchirappalli Local Planning Area Bye-Pass Road Detailed Development Plan No.II, Map.No. 5 DDTP(V)/DTCP/Spl.CTCP.No. 15/2002 dated 21.02.2002 has been lapsed in the light of Section 38 of Tamil Nadu Town and Country Planning Act 1971.



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2. It is the contention of the writ petitioners that though the subject land was approved in “Tiruchirappalli Local Planning Area Bye-Pass Road Detailed Development Plan No.II”, the property has not been acquired till date. As per Section 38 of the Tamil Nadu Town and Country Planning Act, 1971, if such acquisition is not made within a period of three years from the date of publication of the detailed development plan, the land will be deemed to have been released from such reservation from the detailed development plan. Hence, according to them, no such acquisition has been made within a period of three years, hence, the writ petition.

3. The learned Additional Government Pleader appearing for the respondents, on instructions, would submit that the lands under the proposed detailed development plan proposed in the year 2002, which is the subject matter of this writ petition, has not been acquired by the Government.



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4. Since the acquisition has not been made, within a period of three years from the year 2002 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 Planning 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 of 1 Acre 6 ½ cents situated in Srirangam Town, Ward C, Block 1, T.S.No.118/2, Vellithirumutham (P) T.Samuthiram (P), Jamubukeshwaram (P) Village, is deemed to be lapsed and released from reservation in the light of Section 38 of the Tamilnadu Town and Country Planning Act, 1971.

5. Accordingly, this Writ Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

06.10.2025
(3/3)

NCC :yes/No
Index :yes/No
Internet:yes/No
rgm



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P.T.ASHA, J.

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