



W.P.(MD) No.28452 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.10.2025

CORAM:

THE HONOURABLE Ms.JUSTICE P.T.ASHA

W.P.(MD) No.28452 of 2025

A.Kavitha Senthil

... Petitioner

-VS-

1.The Director,

O/o.Town and Country Planning,
2nd, 3rd and 4th Floor, C Market Road,
Koyembedu, 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: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Declaration to declare the reservations made in respect of the petitioner's land situated at Tiruchirappalli Taluk, Srirangam Town, Ward:C, Block: 1, T.S.No.2546/1 and T.S.No.2547 Vellithirumutham (P) T.Samuthiram (P) Kondayampettai(P), Jambukeshwaram Village to an extend of 30 cents and



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52 cents respectively from Tiruchirappalli Local Planning Area Bye-Pass Road Detailed Development Plan No.V, Map.No.5 DDTP(V)/DTCP/Spl.CTCP.NO. 26/2001 dated 16.05.2001 has been lapsed in the light of Section 38 of the 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 : Mrs.D.Farjana Ghoushia
Special Government Pleader

ORDER

This writ petition has been filed seeking issuance of a Writ of Declaration to declare the reservations made in respect of the petitioner's land situated at Tiruchirappalli Taluk, Srirangam Town, Ward:C, Block: 1, T.S.No. 2546/1 and T.S.No.2547 Vellithirumutham (P) T.Samuthiram (P) Kondayampettai(P), Jambukeshwaram Village to an extend of 30 cents and 52 cents respectively from 'Tiruchirappalli Local Planning Area Bye-Pass Road Detailed Development Plan No.V', Map.No.5 DDTP(V)/DTCP/Spl.CTCP.NO. 26/2001 dated 16.05.2001 has been lapsed in the light of Section 38 of the Tamil Nadu Town and Country Planning Act, 1971 within the period that may be stipulated by this Court.



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2. The contention of the petitioner is that though the subject lands were included in the 'Tiruchirappalli Local Planning Area Bye-Pass Road Detailed Development Plan No.V', the said lands have 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 shall be deemed to have been released from such reservation. Since no such acquisition has been made within the stipulated period, the petitioner has filed this writ petition.

3. The learned Special Government Pleader appearing for the respondents, on instructions, submitted that the lands covered under the proposed 'Tiruchirappalli Local Planning Area Bye-Pass Road Detailed Development Plan No.V', which was formulated in the year 2001 and forms the subject matter of the present writ petition, have not been acquired by the Government.

4. In view of the above submission, since the acquisition has not been made within a period of three years from the year 2001 or subsequently, as required under Section 37(2) of the Tamil Nadu Town and Country Planning Act, 1971, the lands shall be deemed to have been released from reservation as per Section 38 of the said Act.



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5. Accordingly, it is declared that the lands in question, which were earmarked under the 'Tiruchirappalli Local Planning Area Bye-Pass Road Detailed Development Plan No.V', are deemed to have been released from reservation and the reservation is treated as lapsed in terms of Section 38 of the Tamil Nadu Town and Country Planning Act, 1971.

6. Accordingly, this Writ Petition is allowed. No costs.

14.10.2025

NCC : Yes/No
Index : Yes/No
Rmk

To

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