



W.P(MD)No.29361 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 16.10.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.29361 of 2025

V Promoters,
Represented by its Managing Partner,
Raja (55/2025), S/o.Parisutham,
Plot No.54, 2nd Street, Parisutham Nagar,
Thanjavur - 613 007.

... Petitioner

Vs.

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

2.The Member Secretary,
Thanjavur Local Planning Authority,
No.5, Ganapathi Nagar 2nd Street,
Medical College Road,
Thanjavur – 613 001.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Respondents No.1 and 2 to release the Petitioner's land to an extent of 2 Acres 11 Cents situated in Survey Number 39/2A2, 39/3B, and 39/1B,



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Vilar Village, Thanjavur Taluk, Thanjavur District by treating the “Vilar Detailed Development Plan No.4” as lapsed under Section 38 of the Tamil Nadu Town and Country Planning Act, 1971.

For Petitioner : Mr.R.Karunanidhi

For Respondents : Mr.M.Lingadurai,
Spl. Government Pleader.

ORDER

Heard both sides.

2.The petition mentioned land was included in the detailed development plan published in the year 2007 for the purpose of scheme road. However, the acquisition proceedings were not taken within three years thereafter. Section 38 of Tamil Nadu Town and Country Planning Act, 1971 reads as follows:

“38. Release of land.- If within three years from the date of the publication of the notice in the Tamil Nadu Government Gazette under section 26 or section 27- (a) no declaration as provided in sub-section (2) of section 37 is published in respect of any land reserved, allotted or designated for any purpose specified in a regional plan, master plan, detailed development



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*plan or new town development plan covered by such notice; or
(b) such land is not acquired by agreement, such land shall be
deemed to be released from such reservation, allotment or
designation.”*

3.Applying the aforesaid statutory mandate, it is declared that the
petition mentioned reservation stands lapsed. The respondents are
directed to carryout necessary changes in the relevant records.

4.This writ petition is allowed accordingly. No costs.

16.10.2025

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

- 1.The Director,
Directorate of Town and Country Planning,
2nd, 3rd and 4th Floor, C E Market Road,
Koyembedu, Chennai - 600 107.
- 2.The Member Secretary,
Thanjavur Local Planning Authority,
No.5, Ganapathi Nagar 2nd Street,
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G.R.SWAMINATHAN, J.

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