



W.P(MD)No.29381 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.10.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)No.29381 of 2025

V.Srinivasan

... Petitioner

Vs

- 1.The Director,
Town and Country Planning Office,
2nd , 3rd and 4th Floor,
C Market Road,
Koyambedu, Chennai 600 107.
- 2.The Joint Director/ Member Secretary,
Town and Country Planning Joint Director Office,
Madurai.
- 3.The Commissioner,
Madurai Corporation,
Madurai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the first and second respondents to release the petitioner's land to an extent of 22.8 cents (out of 26 cents) in S.No.61/1A2A and 61/1C1, which was subdivided from S.No.62/1 at 69-Sirudur, Madurai North, Madurai District, from the proposed road under the Sirudur Detail Development Plan in Map No.4 & 5, DTCP/CTCP No.20/1999 dated 10.11.1999 and ROC No.1260/1997 DP2 in DTCP No.10/1997 dated 16.11.1997 in consonance with Section 38 of the Tamil Nadu Town and Country Planning Act, 1971 based on the petitioner's representation dated 10.10.2025.



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For Petitioner : Mr.A.N.Ramanathan

For Respondents : Mrs.D.Farjana Ghoushia
Special Government Pleader
(for R1 & R2)
Mr.P.Anbunithi
Standing Counsel (for R3)

ORDER

The writ petition has been filed seeking Writ of Mandamus to direct the first and second respondents to release the petitioner's land to an extent of 22.8 cents (out of 26 cents) in S.No.61/1A2A and 61/1C1, which was subdivided from S.No.62/1 at 69-Sirudur, Madurai North, Madurai District, from the proposed road under the Sirudur Detail Development Plan in Map No.4 & 5, DTCP/CTCP No.20/1999 dated 10.11.1999 and ROC No.1260/1997 DP2 in DTCP No.10/1997 dated 16.11.1997 in consonance with Section 38 of the Tamil Nadu Town and Country Planning Act, 1971 based on the petitioner's representation dated 10.10.2025.

2. Heard the learned counsel appearing for the petitioner and Mrs.D.Farjana Ghoushia, learned Special Government Pleader, who takes notice on behalf of the respondents 1 and 2 and Mr.P.Anbunithi, learned Standing Counsel, who takes notice for the third respondent. By consent, this writ petition is taken up for final disposal at the admission stage itself.



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3. It is the contention of the writ petitioner that though the subject land was approved in “Sirudur Detail Development Plan”, the property has not been acquired till date. As per Section 38 of 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. In this regard, the petitioner has made a representation on 10.10.2025 to the respondents to release the land. However, the same has not been considered so far. Hence, he has filed this petition.

4. It is seen that the petitioner sent representation only on 10.10.2025, without even giving time to the statutory authority to receive his application and perform their statutory duty, the petitioner rushed the Court invoking Article 226 of the Constitution of India. Therefore, the Writ Petition is dismissed as premature. It does not preclude the petitioner from making afresh writ petition, after giving sufficient time to the respondents to process his application. No costs.

17.10.2025

NCC : Yes/No

Index : Yes/No

Internet:Yes

Rmk

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To

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P.T.ASHA, J.

Rmk

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