



W.P(MD)No.30800 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.10.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)Nos.30800 of 2025

V.Srinivasan

..Petitioner

Vs

- 1.The Director,
Town and Country Planning Office,
2nd, 3rd and 4th Floor,
C Market Road,
Kayambedu,
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 Declaration, to declare the reservation made in respect of the petitioner 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, forming part of Sirudur Detail Development Plan in Map No.4 and 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, 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 Court.



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For Petitioner : Mr.A.N.Ramanathan
For Respondent : Mr.D.Sasikumar
Addl. Govt. Pleader (for R1 and R2)
Mr.S.Sivabalan
Standing Counsel (for R3)

ORDER

This writ petition has been filed seeking issuance of a Writ of Declaration, to declare the reservation made in respect of the petitioner 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, forming part of Sirudur Detail Development Plan in Map No.4 and 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, 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 Court.

2. The contention of the petitioner is that though the subject lands were included in the Sirudur Detail Development Plan in Map No.4 and 5, 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.



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3. The learned Additional Government Pleader appearing for the respondents 1 and 2, on instructions, submitted that the lands covered under the proposed Sirudur Detail Development Plan in Map No.4 and 5, which was formulated in the year 1997 and 1999 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 1999 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.

5. Accordingly, it is declared that the lands in question, which were earmarked under the Sirudur Detail Development Plan in Map No.4 and 5, 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.

31.10.2025

NCC : Yes/No
Index : Yes/No
Internet:Yes
skn

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To

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P.T.ASHA, J.

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