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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.11.2025

CORAM

**THE HONOURABLE MS.JUSTICE P.T.ASHA**

**Writ Petition(MD)No.32127 of 2025**

R.Lakshmanan

..Petitioner

Vs

- 1.The Director,  
Town and Country Planning,  
No. 807, Anna Salai,  
Chennai 600 002.
- 2.Special Commissioner,  
Town and Country Planning,  
No. 807, Anna Salai,  
Chennai 600 002.
- 3.The Commissioner,  
Trichy City Corporation,  
Trichy.
- 4.The Joint Director,  
District Town and Country Planning,  
Trichy.
- 5.Member Secretary,  
Trichy Local Planning Authority,  
Trichy District.

..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 to release the petitioner's properties comprised in Survey Nos. 2537, 2538/1, 2548, 2540, 2541, Thimmarayasamudhram Village, Sriranganam, Trichy District, Tamil Nadu, admeasuring 2.33 acres approximately by treating the Tiruchirapalli Bye Pass Road Detailed Development Plan No. V as having lapsed by operation of Section 38 of the Town and Country Planning Act, 1971.

For Petitioner : Mr.Akshaya Ramadurai

For RR1,2,4 & 5 : Mrs.Jeya Priya  
Government Advocate

### **ORDER**

This writ petition has been filed seeking issuance of a writ of mandamus directing the Respondents to release the petitioner's properties comprised in Survey Nos. 2537, 2538/1, 2548, 2540, 2541, Thimmarayasamudhram Village, Sriranganam, Trichy District, Tamil Nadu, admeasuring 2.33 acres approximately by treating the Tiruchirapalli Bye Pass Road Detailed Development Plan No. V as having lapsed by operation of Section 38 of the Town and Country Planning Act, 1971..

2. The contention of the petitioner is that though the subject lands were included in the 'Tiruchirapalli 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 Government Advocate appearing for the respondents 1, 2, 4 and 5, on instructions, submitted that the lands covered under the proposed 'Tiruchirapalli Bye Pass Road Detailed Development Plan No. V', which forms the subject matter of the present writ petition, have not been acquired by the Government.

4. In view of the above submission, it is clear that the acquisition has not been made within a period of three years from the year 2002. Therefor, it is hereby declared that the lands in question, which were earmarked under the 'Tiruchirapalli 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.



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

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NCC : Yes/No

Index : Yes/No

Internet:Yes

*Rmk*

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**P.T.ASHA, J.**

*Rmk*

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