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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.11.2025

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THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)No.32066 of 2025

The Tamilnadu Panchayat Secretaries Association
Rep by its President
A.John Bosco Prakash

..Petitioner

Vs

1.The Secretary to Government,
Housing and Urban Development Department,
St.George Fort, Chennai 600 009.

2.The Director of Town and Country Planning,
2nd , 3rd and 4th Floor CMDA Office,
C and E Market Road,
Koyambedu,
Chennai 600107.

3.The District Cum Chairman of the
Tiruchirappalli Local Planning Authority,
Tiruchirappalli.

4.The Deputy Director of Town and Country
Planning/ Member Secretary,
Tiruchirappalli Local Planning Authority,
Kajamalai Main Road,
Kajamalai,
Tiruchirappalli 620033

..Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Declaration, declaring the petitioners land situated in survey No.24/7, to an extent of 1 acre and 9.5 cents, K.Kallikudi North Village, Srirangam Taluk, Trichy District, for the proposed Ring Road in the Tiruchirappalli Master Plan Under G.O.M.S.No.143 Housing and urban development UD 4(2) department dated 11.08.2009 and published in Tamilnadu Government Gazette No. 34 dated 02.09.2009 under Section 28 of the Tamilnadu Town and Country Planning Act, 1971, stand leased from the reservation/designation/allotment Under section 37 and 38 of the TamilNadu Town and Country Planning Act, 1971 within such time as may be fixed by this Court.

For Petitioner : Mr.D.Muruganantham
For Respondents : Mr.D.Sasikumar
Additional Government Pleader

ORDER

This writ petition has been filed seeking issuance of a Writ of Declaration declaring the petitioner's land situated in survey No.24/7, to an extent of 1 acre and 9.5 cents, K.Kallikudi North Village, Srirangam Taluk, Trichy District, for the proposed Ring Road in the Tiruchirappalli Master Plan Under G.O.M.S.No.143 Housing and urban development UD 4(2) department dated 11.08.2009 and published in Tamilnadu Government Gazette No.34 dated 02.09.2009 under Section 28 of the Tamilnadu Town and Country Planning Act, 1971, stand leased from the



reservation/designation/allotment Under section 37 and 38 of the TamilNadu Town and Country Planning Act, 1971 within such time as may be fixed by this Court.

2. The contention of the petitioner is that though the subject lands were included in the Tiruchirappalli Master Plan, 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 Additional Government Pleader appearing for the respondents, on instructions, submitted that the lands covered under the proposed Tiruchirappalli Master Plan, which was formulated in the year 2009 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 2009 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 Tiruchirappalli Master Plan, 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.

13.11.2025

NCC : Yes/No

Index : Yes/No

Rmk

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P.T.ASHA, J.

Rmk

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