



W.P(MD)No.32793 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 18.11.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)No.32793 of 2025

YESFOUR INFRA Private Limited,
rep., through its Director,
Kumaran

.. Petitioner

Vs

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

2.The Joint Director/ Member Secretary,
Directorate of Town and Country Planning Office,
Trichy Region, Kajamalai Main Road,
Tiruchirappalli 620 023.

.. 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 respondents 1 and 2 to release the petitioner's land with an extent of 1 acre 26 cents in Town Survey No.838, 829/2 and 829/3 situated at Block No.13, Old Ward No.3, New Ward No.C, Vellithirumutham, Srirangam Taluk, Tiruchirappalli District, treating the “Tiruchirappalli Bye Pass Detailed Development Plan No.3” as lapsed under Section 38 of the Tamil Nadu Town and Country Planning Act, 1971.



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For Petitioner : Mr.R.Karunanithi

For Respondents : Mrs.S.Jeyapriya
Government Advocate

ORDER

This writ petition has been filed seeking for a Mandamus to direct the respondents 1 and 2 to release the petitioner's land with an extent of 1 acre 26 cents in Town Survey No.838, 829/2 and 829/3 situated at Block No.13, Old Ward No.3, New Ward No.C, Vellithirumutham, Srirangam Taluk, Tiruchirappalli District, treating the “Tiruchirapalli Bye Pass Detailed Development Plan No.3” as lapsed under Section 38 of the Tamil Nadu Town and Country Planning Act, 1971.

2. Heard the argument of the petitioner and Mrs.S.Jeya Priya, learned Government Advocate, who takes notice for the respondents. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3. The contention of the petitioner is that though the subject lands were included in the 'Tiruchirapalli Bye Pass Detailed Development Plan No.3', 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



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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.

4. The learned Government Advocate appearing for the respondents, on instructions, submitted that the lands covered under the proposed 'Tiruchirapalli Bye Pass Detailed Development Plan No.3', which forms the subject matter of the present writ petition, have not been acquired by the Government.

5. 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 Detailed Development Plan No.3', 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.

18.11.2025

NCC : Yes/No

Index : Yes/No



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P.T.ASHA, J.

Rmk

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