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W.P(MD)No.33110 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.11.2025

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

**Writ Petition(MD)No.33110 of 2025**

Kumarappa R.K.

..Petitioner

Vs

1.The Director

O/o.Town and Country Planning,  
2nd, 3rd and 4th Floor, C Market Road,  
Koyembedu, Chennai - 600 107.

2.The Joint Director / Member Secretary,

Town and Country Planning, Trichy Region,  
No.11, Kajamalai Main Road, Thamarai Nagar,  
Kajamalai Colony,  
Trichy,  
Thiruchirapalli District.

..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 Petitioners land situated at Tiruchirapalli Taluk Srirangam Town Old.Ward 2 New Ward B Block 32 Old.T.S.No.1774/2 (Part) New T.S.No.1774/7 Nelson Road Vellithirumutham Village to an extend of 22-1/2 cents (9810 sq.fts) from Tiruchirapalli Local Planning Area Srirangam Municipality Railway Affected Area Detailed Development Plan Part-I Map.No. 5 DDP(V)/DTCP No. 24/2000 dated 19.10.2000 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 Hon'ble High Court.



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For Petitioner : Mr.K.Viralinathan

For Respondents : Mrs.S.jeya Priya,  
Govt. Advocate (For R1 & R2)

### **ORDER**

This writ petition has been filed seeking issuance of a Writ of Declaration to declare the reservation made in respect of the Petitioner's land situated at Tiruchirapalli Taluk, Srirangam Town, Old.Ward 2, New Ward B, Block 32, Old.T.S.No.1774/2 (Part), New T.S.No.1774/7, Nelson Road, Vellithirumutham Village to an extend of 22-1/2 cents (9810 sq.fts) from Tiruchirapalli Local Planning Area, Srirangam Municipality Railway Affected Area Detailed Development Plan Part-I Map.No. 5 DDP(V)/DTCP No. 24/2000 dated 19.10.2000 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 Tiruchirapalli Local Planning Area, Srirangam Municipality Railway Affected Area Detailed Development Plan Part-I Map.No. 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



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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, on instructions, submitted that the lands covered under the proposed Tiruchirapalli Local Planning Area, Srirangam Municipality Railway Affected Area Detailed Development Plan Part-I Map.No. 5, which was formulated in the year 2000 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 2000 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 Tiruchirapalli Local Planning Area, Srirangam Municipality Railway Affected Area Detailed Development Plan Part-I Map.No. 5, are deemed to have been released from reservation and the



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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.

19.11.2025

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

To

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2nd, 3rd and 4th Floor, C Market Road,  
Koyembedu, Chennai - 600 107.
- 2.The Joint Director / Member Secretary,  
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**P.T.ASHA, J.**

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