



WEB COPY

WP No. 10995 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-03-2026

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

WP No. 10995 of 2026 AND WMP NO. 11926 OF 2026

1. A.Azhagusundaram

2. A.Senthilvel

Petitioner(s)

Vs

1. The Director of Town and Country Planning
Office of the Directorate of Town and Country Planning, Second, Third and Fourth Flors, E and C Market Road, Koyambedu, Chennai-600 107.

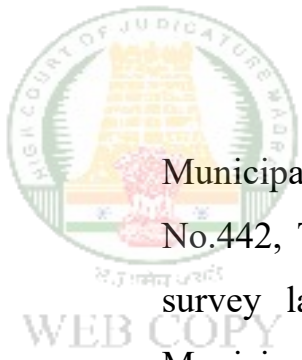
2.The Deputy Director of Town and country Planning,
Coimbatore Local Planning Authority, Office of the Coimbatore Local Planning Authority, Coimbatore.

3.The Commissioner
Pollachi Municipality, Pollachi, Coimbatore District.

Respondent(s)

PRAYER

To declare that the property measuring Ac. 1.37 cents, comprised in Old T.S. No.442, Town Survey Ward-7, as per the certificate of extract from the town Survey land register, Ward-No.G Block No.8, T.S.No.442/2 of Pollachi



Municipal Town and the land measuring ac.1.40 cents, comprised in Old T.S. No.442, Town Survey ward-7 as per the certificate of extract from the town survey land register, Ward No.G, Block No.8, T.S.No.442/1 of Pollachi Municipal town, Pollachi Taluk, Coimbatore District (Property) Forming part of the Pollachi Local Planning Area Detailed Development Plan-7 Map No.5 in D.D.P(C.N) No.10/78 dated 03.01.1979 for the purpose of forming CC-80 feet road and E2 E2-50 feet road and the petitioner lands falls on for the purpose of forming CC-80 feet road and E2 E2-50 feet road, to have lapsed in the light of Section 38 of the Tamil Nadu Town and Country Planning Act, 1971 (TN Act 35 of 1974) and the decisions of this Honourable Court, passed order in the case of Kannabiran Vs. The Director of Town and Country Planning, in W.P. (MD) No.8515 of 2021 dated 25.06.2021 and in W.P. No.106 of 2022 dated 07.01.2022, and W.P.(MD) No.424/2022 dated 14.03.2022 and in W.P. No.30548/2025 dated 16.12.2025.

For Petitioner(s): Mr.P.Tamilmani

For Respondent(s): Mr.N.Naveen Kumar
Govt.Advocate For R1 and R2
Dr.T.Seenivasan,SGP For R3

ORDER

WMP. No.11926 of 2026 is ordered subject to the payment of separate court fee.

2.This writ petition has been filed to declare that the property, morefully disclosed in the prayer to this petition has to be released from the land acquisition as per the provisions of Section 38 of the Tamil Nadu Town and Country Planning Act, 1971.



3.It is the case of the petitioner that though a notification was issued under the Land Acquisition Act in respect of the petitioner's property as early as on 03.01.1979, till date, the development scheme has not been implemented and no steps have also been taken by the respondents for implementing the said development scheme.

4.In view of the lapse of more than 45 years, the petitioner seeks for release of the lands from acquisition as per Section 38 of the Tamil Nadu Town and Country Planning Act, 1971.

5.Dr.T.Seenivasan, learned Special Government Pleader accepts notice on behalf of the third respondent. Mr.N.Naveen Kumar, learned Government Advocate, who accepts notice on behalf of respondents 1 and 2, on instructions, submits that since no further steps were taken by the respondents under the provisions of the Land Acquisition Act with regard to the petitioner's property ever since the acquisition notification was issued as early as on 03.01.1979 and since more than 45 years have been lapsed from the date of the notification, necessarily, the prayer sought for in this writ petition has to be granted in favour of the petitioner.

6.Accordingly, in terms of Section 38 of the Tamil Nadu Town and Country Planning Act, it is declared that the property, morefully described in the



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prayer to this writ petition, is released from the land acquisition. For the foregoing reasons, this writ petition is allowed. No costs.

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vga



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Office of the Directorate of Town and
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2. The Deputy Director of Town and
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ABDUL QUDDHOSE J.

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