



W.P(MD)No.7877 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.06.2026

CORAM

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

Writ Petition(MD)No.7877 of 2026

and

W.M.P(MD)No.6472 of 2026

V.Arunkumar

.. Petitioner

Vs

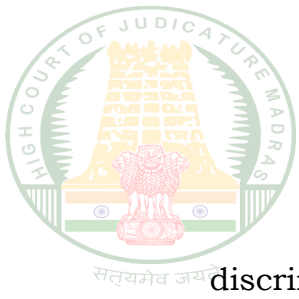
1.The Secretary to the Government of Tamil Nadu,
Housing and Urban Development Department,
Secretariat, Chennai - 600 009.

2.The Assistant Director,
District Town and Country Planning Office,
Tirunelveli Road, Pavorchathiram,
Tenkasi District - 627 808.

3.The Town Planning Officer,
Sankarankovil Local Planning Authority,
Municipal Office, Tiruvengadam Road,
Sankarankovil, Tenkasi District - 627 756.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the Impugned proceedings in Na.Ka. No. 184/2026Thema2 dated 27.02.2026 passed by the 2nd respondent and quash the same as illegal, arbitrary and



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discriminatory and consequently direct the Respondents to regularize/approve the unapproved land locate at Plot No.2 Town Survey No.2/38 Old Survey No.240/1A1B extent 1980 sq.ft. Block-1, Ward-B, Sankarankoil Municipality, Tenkasi District in accordance with law.

For Petitioner : Mr.K.Perumal

For Respondents : Mrs.K.R.Shivashankari
Govt. Advocate

ORDER

The petitioner challenges the proceedings dated 27.02.2026 issued by the second respondent, whereby the petitioner's application for regularisation of Plot No.2, Town Survey No.2/38, Old Survey No. 240/1A1B, measuring an extent of 1,980 sq.ft., situated in Block-1, Ward-B, Sankarankoil Municipality, Tenkasi District, came to be rejected.

2.The subject property forms part of an unapproved layout. The petitioner purchased the said plot under a registered sale deed dated 09.10.2025 and thereafter submitted an application seeking regularisation of the plot in accordance with the applicable provisions and schemes.



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3.The application was rejected on the ground that the subject plot had been reserved for a Scheme Road in the Detailed Development Plan originally published in the year 1972 and subsequently modified in the year 2006. As per the modified plan, the plot in question forms part of a proposed 60-foot-wide Scheme Road.

4.The rejection of the petitioner's application is founded solely on the reservation of the land under the Detailed Development Plan. However, Section 38 of the Tamil Nadu Town and Country Planning Act, 1971 provides that where land reserved, allotted or designated for any purpose under a planning scheme is not acquired within the statutory period prescribed therein, such land shall be deemed to be released from the reservation, allotment or designation.

5.In the present case, it is not in dispute that, although the subject land was reserved for a Scheme Road, no acquisition proceedings were initiated or completed within the period contemplated under Section 38 of the Act. Consequently, the reservation of the land for the Scheme Road stood lapsed by operation of law.



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6.Once the reservation has lapsed under Section 38 of the Act, the respondents cannot rely upon the said reservation as a ground to reject the petitioner's application for regularisation. Therefore, the impugned proceedings dated 27.02.2026 issued by the second respondent are unsustainable and liable to be set aside.

7.Accordingly, the writ petition is allowed and the proceedings in Na.Ka.No.184/2026/Thema-2 dated 27.02.2026 issued by the second respondent are hereby set aside. The second respondent is directed to consider the petitioner's application for regularisation afresh and grant regularisation of the subject plot, subject to the petitioner satisfying all other statutory requirements and conditions prescribed under law.

8.The aforesaid exercise shall be completed within a period of eight (8) weeks from the date of receipt of a copy of this order. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

09.06.2026

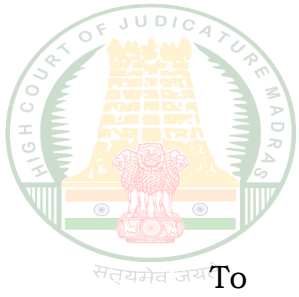
NCC : Yes/No

Index : Yes/No

Internet:Yes

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HEMANT CHANDANGOUDAR, J.

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