



W.P.(MD)No.9545 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 08.04.2026

CORAM

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.9545 of 2026

and

W.M.P.(MD)No.7608 of 2026

G.Ravi

... Petitioner

vs.

1.The Director,
Directorate of Town and Country Planning,
807, Anna Salai, Chennai-600 002.

2.The Assistant Director,
Directorate of Town and Country Planning,
Tirunelveli Road, Paavurchathiram,
Tenkasi District-627 808.

3.The District Collector,
The Collectorate, Tenkasi District.

4.The Commissioner,
Tenkasi Municipality,
Anaikarai Street, Tenkasi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records of the impugned Paragraphs under the heading Note in the order in Na.Ka.No. 1471/2025TheMa2 dated 11.12.2025 passed by the 2nd



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respondent and the consequential impugned order in Na.Ka.No. 74/2026/F1 dated 02.02.2026 passed by the 4th respondent and quash the same as illegal and for a consequential direction to the respondents to process the petitioner's application dated 07.10.2025 in DTCP/H/OKDICIGN/2025/32396 within the time stipulated by this Court.

For Petitioner	:Mr.O.R.Gokul Abimanyu
For R1 to R3	:Mr.S.S.Madhavan Additional Government Pleader
For R4	:Mr.A.Athimoola Pandian

ORDER

The petitioner challenges the "Heading Note" in the order bearing Na.Ka.No.1471/2025/TheMa2 dated 11.12.2025 passed by the second respondent, as well as the consequential impugned order bearing Na.Ka.No.74/2026/F1 dated 02.02.2026 passed by the fourth respondent.

2. By the said orders, the petitioner's request for approval of a residential layout in Town Survey No.13/22 (corresponding to old S.F.No.2232/2P) in Ward B, Block 13, Tenkasi Taluk, Tenkasi District, has been rejected. The reason assigned for such rejection is that the subject land was reserved in the Master Plan, 2011. Section 38 of the Tamil Nadu Town and Country Planning Act, 1971 reads as follows:



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“38. Release of land.—If within three years from the date of publication of the notice in the Tamil Nadu Government Gazette under Section 26 or Section 27—

(a) no declaration as provided in sub-section (2) of Section 37 is published in respect of any land reserved, allotted or designated for any purpose specified in a regional plan, master plan, detailed development plan or new town development plan covered by such notice; or

(b) such land is not acquired by agreement, such land shall be deemed to be released from such reservation, allotment or designation.”

3. In the present case, it is not in dispute that, although the subject land was reserved in the Detailed Development Plan, no steps have been taken by the respondents either to acquire or utilise the same within the period stipulated under Section 38 of the Act. In view of the statutory mandate under Section 38(b) of the Tamil Nadu Town and Country Planning Act, 1971, the reservation of the petitioner's land under the Detailed Development Plan, 2011, is deemed to have lapsed. Therefore, there is no impediment for the second respondent to approve the layout plan.



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4. In the light of the above, the impugned order passed by the second respondent in Na.Ka.No.1471/2025/TheMa2 dated 11.12.2025, as well as the consequential order passed by the fourth respondent in Na.Ka.No.74/2026/F1 dated 02.02.2026, are hereby quashed. The matter is remanded back to the second respondent to consider the petitioner's online application dated 07.10.2025 and to approve the layout plan for the subject land, subject to the petitioner satisfying all other eligibility criteria.

5. The aforesaid exercise shall be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

Index :Yes / No
NCC :Yes / No
cmr

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HEMANT CHANDANGOUDAR, J.

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