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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 16.04.2026

CORAM

**THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR**

**W.P.(MD)No.10639 of 2026**

Palanisamy

... Petitioner

- Vs. -

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

2. Member Secretary/Assistant Director,  
Local Planning Authority,  
Kajamalai,  
Thiruchirappalli.

3. The Commissioner,  
Thuraiyur Municipality,  
Thiruchirappalli District.

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus directing the respondents 1 and 2 herein to release the petitioners land measuring to an extent of Ac.0.4 Cents comprised in Survey No.291/5 (T.S.No.2/6B) Situated at Ward-E, Block No-11, in Thuraiyur Town in Thiruchirappalli



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District which is earmarked for Scheme road (Thitta Salai) detail Development Plan as lapsed in the light of Section 38 of Tamil Nadu Town And Country Planning Act 1971 and consequently direct the 3rd respondent to grant plan approval for construct a commercial Complex within the time stipulated by this Court.

For Petitioner : Mr.V.Raja

For Respondents : Mr.S.S.Madhavan  
Additional Government Pleader  
for R1 and R2

: Mr.K.R.Kishore Ram  
Standing Counsel  
for R3

### **ORDER**

Mr.S.S.Madhavan, learned Additional Government Pleader takes notice for R1 and R2. Mr.K.R.Kishore Ram, learned Standing Counsel takes notice for R3.

2. The petitioner is before this Court for declaration that the petitioner's land to an extent of Ac.0.4 cents comprised in Survey No.



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291/5 (T.S.No.2/6B) Situated at Ward-E, Block No-11, in Thuraiyur Town in Thiruchirappalli District, which is earmarked as scheme road(Thitta Salai) in a detailed development plan published in the year 2012 is deemed to have been released.

2. The subject land was earmarked as scheme road in the detailed Development Plan submitted by the second respondent in the year 2012. The subject land was not secured under Section 37 of the Tamilnadu Town and Country Planning Act, 1971, within a period of five(5) years from the date of publication and therefore by operation of Section 38(b) of the Act, the reservation assigned to the said land is deemed to have been released.

3. In light of the above, the reservation of the subject land as scheme road in the Detailed Development Plan published by the second respondent in the year 2012 is deemed to have been released and the petitioner is entitled to use the subject land absolutely in accordance with law.

4. Accordingly, this Writ Petition is allowed. The respondents 1 and 2 herein are directed to release the petitioner's land in accordance with law within a period of four(4) weeks from the date of receipt of a copy of this



5. There shall be no orders as to costs.

**16.04.2026**

Index :Yes/No  
Internet :Yes/No  
NCC :Yes/No  
PJJ

To

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**HEMANT CHANDANGOUDAR, J.**

PJL

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