



W.P.(MD)No.16625 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 18.06.2026

CORAM

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.16625 of 2026

Kavitha

... Petitioner

vs.

1.The Director,
Directorate of Town and Country Planning,
2nd, 3rd and 4th Floor, C & E Market Road,
Koyembedu, Chennai - 600 107.

2.The Member Secretary,
Thanjavur Local Planning Authority,
No.5, Ganapathi Nagar 2nd Street,
Medical College Road,
Thanjavur - 613 001.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the Respondents No. 1 and 2 to release the petitioner's land with an extent of 43,998 sq.ft. (4,087.508 sq.m.) in Survey Nos. 841/19A, 841/19B1 and 841/20 situated at Vilar Village, Thanjavur Taluk, Thanjavur District treating the "Vilar Detailed Development Plan No. 10 (Map - 4)" as lapsed under Section 38 of the Tamil Nadu Town and Country Planning Act, 1971.



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W.P.(MD)No.16625 of 2026

For Petitioner :Mr.R.Karunanidhi
For Respondents :Mr.S.Sivasubramaniam
Government Advocate

ORDER

This writ petition has been filed seeking a direction to respondents 1 and 2 to release the petitioner's land measuring 43,998 sq.ft. (4,087.508 sq.m.) in Survey Nos.841/19A, 841/19B1 and 841/20 situated at Vilar Village, Thanjavur Taluk, Thanjavur District, from the reservation made under Vilar Detailed Development Plan No.10, by treating the reservation as having lapsed under Section 38 of the Tamil Nadu Town and Country Planning Act, 1971.

2.It is seen that an adjoining landowner had earlier approached this Court seeking a similar relief in W.P.(MD) No.15468 of 2020. By order dated 06.11.2020, a Co-ordinate Bench of this Court held that if the land reserved under a detailed development plan is not acquired within three years from the date of publication of the notification in the Government Gazette, the reservation would lapse by operation of Section 38 of the Act.



W.P.(MD)No.16625 of 2026

3.In the present case, the Gazette notification was published on 25.06.2008. Admittedly, the subject lands have not been acquired till date. Therefore, the reservation in respect of the petitioner's land is deemed to have lapsed by operation of Section 38 of the Act.

4.Accordingly, respondents 1 and 2 are directed to treat the reservation made under Vilar Detailed Development Plan No.10 (Map-4) as having lapsed insofar as the petitioner's land measuring 43,998 sq.ft. (4,087.508 sq.m.) in Survey Nos.841/19A, 841/19B1 and 841/20, situated at Vilar Village, Thanjavur Taluk, Thanjavur District, is concerned. Consequently, the said land shall stand released from reservation and the petitioner is at liberty to enjoy and deal with the property in accordance with law.

5.Accordingly, the writ petition is allowed. .There shall be no order as to costs.

Index :Yes / No
NCC :Yes / No
cmr

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3/5



W.P.(MD)No.16625 of 2026

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HEMANT CHANDANGOUDAR, J.

cmr

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