



W.P(MD)No.36818 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.03.2026

CORAM

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.36818 of 2025

Vijayalakshmi

... Petitioner

vs.

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

2.The Member Secretary  
Thanjavur Local Planning Authority,  
No.5 Ganapathi Nagar 2<sup>nd</sup> Street,  
Medical College Road,  
Thanjavur - 613001.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the Respondents No.1



W.P(MD)No.36818 of 2025

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and 2 to release the Petitioner's land with an extent of 1 Acres 15 Cents in Old Survey Number 841/19B1, 841/20, 841/21 and 841/22, New Survey Number 841/742, 841/20B, 841/21B and 841/22A2 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.

For Petitioner :Mr.R.Karunanidhi

For Respondents :Mr.D.Sadiq Raja  
Additional Government Pleader

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### **ORDER**

This writ petition has been filed seeking issuance of a writ of Mandamus directing respondents 1 and 2 to release the petitioner's land measuring an extent of 1 Acre and 15 Cents comprised in Old Survey Nos.841/19B1, 841/20, 841/21 and 841/22, corresponding to New Survey Nos.841/742, 841/20B, 841/21B and 841/22A2, situated at Vilar Village, Thanjavur Taluk, Thanjavur District, which has been earmarked under Vilar Detailed Development Plan No.10, by treating the said plan



W.P(MD)No.36818 of 2025

(Map-4) of the Thanjavur Local Planning Area as having lapsed by operation of Section 38 of the Tamil Nadu Town and Country Planning Act, 1971.

2. An adjoining landowner had earlier approached this Court in W.P.(MD) No.15468 of 2020 seeking a similar relief. A Co-ordinate Bench of this Court, by order dated 06.11.2020, relying upon Section 38 of the Act, held that if the lands are not acquired within a period of three years from the date of publication of the notice in the Government Gazette, the lands shall be deemed to have been released from reservation by operation of Section 38(b) of the Act.

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, by operation of Section 38(b) of the Act, the reservation in respect of the subject lands is deemed to have lapsed.

4. In view of the above, there shall be a direction to respondents 1 and 2 to treat the reservation made under Vilar Detailed



**W.P(MD)No.36818 of 2025**

Development Plan No.10 (Map-4) as lapsed insofar as the petitioner's land is concerned and consequently release the petitioner's land measuring an extent of 1 Acre and 15 Cents comprised in Old Survey Nos.841/19B1, 841/20, 841/21 and 841/22, corresponding to New Survey Nos.841/742, 841/20B, 841/21B and 841/22A2, situated at Vilar Village, Thanjavur Taluk, Thanjavur District. It is open to the petitioner to deal with and enjoy the property in accordance with law.

5. Accordingly, this writ petition is allowed. No costs.

**25.03.2026**

Index :Yes / No  
NCC :Yes / No

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W.P(MD)No.36818 of 2025

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W.P(MD)No.36818 of 2025

**HEMANT CHANDANGOUDAR, J.**

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W.P.(MD)No.36818 of 2025

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