



WEB COPY

WP No. 10342 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-04-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

WP No. 10342 of 2026

and W.M.P. No.11215 of 2026

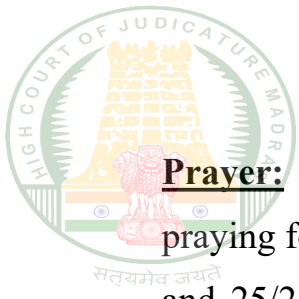
R.Muthuraja

..Petitioner(s)

Vs

1. The Secretary
Housing and urban Development Department,
Fort St. George, Chennai-600 015.
2. The Director of Town and Country Planning,
2, 3 and 4th Floor, B, CMDA office campus,
E and C, Market Road,
Koyambedu,
Chennai-600 107.
3. The Assistant Director
District Town and Country Planning office,
Namakkal 637 003.
4. The Member Secretary / Executive officer
Thiruchengode Local Planning Authority,
Thiruchengode, Namakkal district.
5. The Commissioner
Thiruchengode Municipality,
No.1, Velur Road, (Near Town Police Station)
Thiruchengode-637 211.

..Respondent(s)



Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Declaration, declaring that T.S.L.R. Nos.22/4 and 25/2 (Old S.F. Nos.150/1 and 150/5) measuring to an extent of 1.17-1/4 acres in Ward-F, Block No.4, Thiruchengode Town Under Thiruchengode detailed development plan No.5 (Scheme C7-C7 (12.2m Road) and B-B (18.3 m Road) is deemed to the lapsed and released from the reservation in the light of Section 38 of the Tamil Nadu Town and country planning act, 1971 (TN Act 1974).

For Petitioner(s): Mr.V.Anandhamurthy

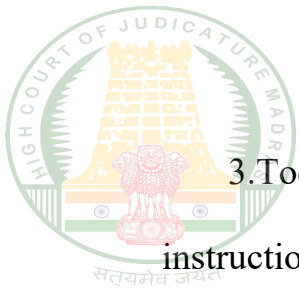
For Respondent(s): Mr.M.Shahjahan,
Special Government Pleader (For R1 To R4)

Mr. M. Rajamathivanan (For R5)

ORDER

The petitioner seeks for release of the subject land morefully disclosed in the affidavit filed in support of the Writ Petition under Section 38 with the Tamil Nadu Town and Country Planning Act, 1971.

2.On the last hearing date, i.e., on 23.03.2026, the learned Special Government Pleader, appearing for the respondents 1 to 4 as well as Mr.M.Rajamathivanan, learned Standing Counsel appearing for the 5th respondent sought time to get instructions with regard to prayer sought for in this Writ Petition.



3. Today, the learned Standing Counsel appearing for the 5th respondent, on instructions, submitted that the respondents have not pursued the acquisition of the lands belonging to the petitioner for a period more than 3 years and therefore, the Section 38 of the Tamil Nadu Town and Country Planning Act, 1971, gets attracted.

4. In view of the submission made by the learned Standing Counsel appearing for the 5th respondent, on instructions, that the 5th respondent is not pursuing with the land acquisition pertaining to the petitioner's lands, this Writ Petition will have to be allowed as prayed for by the petitioner.

5. Accordingly, this Writ Petition is allowed by declaring that the lands belonging to the petitioner are not the subject matter of land acquisition and they are released as per the provisions of Section 38 of the Tamil Nadu Town and Country Plan Act, 1971. However, there shall be no order as to costs. Consequently, the connected Miscellaneous Petition is closed.

20-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

GSA



ABDUL QUDDHOSE, J.

GSA

To

1. The Secretary
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