



WP No.47496 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.08.2026

CORAM

THE HON'BLE MR.SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE G.ARUL MURUGAN

WP No.47496 of 2025

N.Anandakumar

Residing At No. 167 Periya Street, Kondur Colony,
Cuddalore 607002.

Petitioner

Vs

1. State Of Tamil Nadu

Represented By Its Principal Secretary,
Municipal Administration & Water Supply Department,
Chennai 600009.

2.The Managing Director

Tamil Nadu Urban Finance & Infrastructure Development
Corporation Limited, Chennai 600035.

3.The Director Of Municipal Administration

Municipal Administration & Water Supply Department,
Chennai 600028.

4.The District Collector, Cuddalore 607 001

5.The Commissioner

Cuddalore City Municipal Corporation, Cuddalore 607001.

6.The Executive Engineer

Cuddalore City Municipal Corporation,
Cuddalore 607001.

Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus declaring that the action of the respondents in putting up any permanent structure, including but not limited to commercial bunk shops, convention centre and any other construction activity within the Manjakuppam Ground (Thangaraj Maithanam) Cuddalore under the project titled Integrated Development of Manjakuppam ground at Cuddalore, sanctioned under the Kalaingar Nagarpura Mempoattu Thittam (KNMT) 2025-2026 is illegal, arbitrary and against public interest and consequently direct the respondents to ensure that the entire extent of Manjakuppam ground is preserved, maintained and used only as a public open space and sports field, in accordance with its long standing public purpose and in conformity with the decree passed in O.S.No. 903 of 1991 on the file of District Munsif, Cuddalore.

For Petitioner

Mr.T.Sai Krishnan for
Mr.N.U.Pressanna

For Respondents

Mr.K.Maheshwaran
Addl Govt Pleader
for respondents 1 to 4 & 6

Mr. P. Srinivas
Standing counsel for R5

ORDER

(Order of the Court was made by G.Arul Murugan, J.)

This writ petition, styled as 'public interest litigation', is filed seeking to declare the action of the respondents in putting-up a permanent structure, including commercial bunk shops, convention centre and other construction activities in the Manjakuppam Ground (Thangaraj Maithanam) Cuddalore, under the project titled 'Integrated Development of Manjakuppam Ground at Cuddalore', sanctioned under the *Kalaingar Nagarpura Mempoattu Thittam 2025-2026*, as illegal, and



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for a consequential direction to ensure that the entire extent of Manjakuppam ground is preserved, maintained and used only as a public open space, in conformity with the decree passed in O.S.No.903 of 1991, on the file of District Munsif, Cuddalore.

2. It is the grievance of the petitioner that a playground measuring an extent of 15 acres is available in the municipal area, and now the fifth respondent Municipal Corporation is attempting to put-up 110 shops, and if the shops are permitted to be constructed in the playground, then the entire playground would be affected and the public will not be able to have free access and usage of the playground. It is further stated that earlier, the municipal corporation attempted to use the playground for some other purpose and in this regard, a suit came to be filed in O.S.No.903 of 1991, before the District Munisif, Cuddalore and a decree has already been passed, restraining the authorities from making any further use, or converting the playground for any other purposes. Since the authorities are proceeding with the construction, the petitioner has come up with the present writ petition.



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3. Learned counsel for the petitioner submitted that when once the entire extent of 15 acres is classified as playground, the authorities cannot resort to construction of any shops in the playground, thereby affecting the nature of the playground. He further submitted that once the shops are allowed to be constructed and exploited for commercial purposes, the playground will lose its significance and the same cannot be permitted. In this regard, learned counsel placed reliance on the decision of the Hon'ble Supreme Court in the case of *Municipal Corporation of Greater Mumbai and others vs. Hiranman Sitaram Deorukhar and others*, [(2019) 14 SCC 411].

4. Countering the submissions made by the learned counsel for the petitioner, learned Standing counsel appearing for the fifth respondent Corporation submitted that the Corporation is not intending to alter the nature of the playground. Instead of putting-up a compound wall, for which huge funds are needed, if shops are constructed, it would serve dual purpose: yield revenue to the Corporation and at the same time, act as a natural compound wall, adding safety to the playground. He further submitted that all the



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shops are given opening only from the road side, and no access is given to the shops from inside the playground.

5. Pointing out the averments made in the counter-affidavit, learned Standing Counsel further submitted that for the purpose of putting-up shops, only less than 4% of the land is sought to be utilized and more than 95% of the land, out of 15 acres, would be retained and used only as playground, and if the shops are constructed and revenue is generated, the Corporation would be in a better position to maintain this playground by affording better facilities to all the general public. Since the State Government has already issued government order sanctioning funds for construction of shops and almost 50% of the construction of shops has been done, construction could be allowed to continue and completed.

6. Learned counsel further submitted that admittedly, the petitioner has not assailed the government order granting permission to the Corporation to put-up construction of the shops under the project. In such circumstances, the writ petition filed is not sustainable and he sought for dismissal of the writ petition.

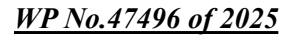


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7. We have given our anxious consideration to the submissions made on either side and perused the materials on record.

8. Admittedly, an extent of 15 acres of land is classified as playground, which lies within the jurisdiction of the fifth respondent/ Municipal Corporation. The main grievance of the petitioner is that if shops are allowed to be constructed by the Corporation, then the Corporation would start further construction, thereby slowly encroaching upon the entire playground, which would be detrimental to the residents of the locality. The decree passed by the Civil Court dated 28.04.1995 in OS No.903 of 1991 is also pressed into service by contending that once the decree is passed, action of the Corporation in constructing the shops would be in breach of the decree, which is not sustainable.

9. The Government has issued G.O.(4D) No.27, Municipal Administration & Water Supply (SS & FC) Department, dated 17.06.2025 whereby financial assistance was granted to the infrastructure projects undertaken in various municipalities, including the fifth respondent Corporation.



10. Based on the G.O.(4D) No.27 dated 17.06.2025, the fifth

11. The entire construction of the shops would only remain as a



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playground and the entire land occupied by the shops is less than 4% of the total extent of 15 acres, which is available in the playground, we see that no disturbance or any damage would be caused to the playground.

12. While allowing the Corporation to proceed with the construction of the shops and complete the same, it is made clear that the shops will have opening only from the roadside. After construction of these shops, in the balance open place available, a proper compound wall shall be constructed by providing adequate entrance to the playground. The Corporation shall not resort to any further construction or any development activities in the playground. The playground shall be retained only as playground, for the use of the general public.

13. Insofar as the decision of the Hon'ble Supreme Court is concerned, there is no dispute with regard to the proposition that public places include parks and playgrounds, and they have to be preserved and utilised for the purpose of the public.



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14. In view of the above deliberations that we have made, as it is clear that except for the construction of 110 shops on the margins of the playground, the playground would remain only as playground, the apprehensions expressed by the petitioner stands addressed.

15. With the above observations and directions, the writ petition stands disposed of. There will be no order as to costs. Consequently, WMP No.53033 of 2025 is closed.

(SUSHRUT ARVIND DHARMADHIKARI, C.J.) (G.ARUL MURUGAN, J.)
19.08.2026

Neutral Citation : Yes/No
tar

To

1. The Principal Secretary
Municipal Administration & Water Supply Department, Chennai 600009.

2.The Managing Director
Tamil Nadu Urban Finance & Infrastructure Development Corporation Limited,
Chennai 600035.

3.The Director Of Municipal Administration
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THE HON'BLE CHIEF JUSTICE
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