

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.07.2015

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
The Hon'ble MR.JUSTICE T.S.SIVAGNANAM

W.P.No.21951 of 2015

C.Jagadeesh

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Petitioner

-vs-

1.The Commissioner for Land Administration,
Government of Tamil Nadu,
Chepauk,
Chennai-600 005.

2.The Commissioner,
Corporation of Chennai,
Ripon Buildings, Park Town,
Chennai-600 003.

3.The Tahsildar,
Mylapore-Triplicane Taluk,
Mylapore,
Chennai-600 028.

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Respondents

Petition under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents to make use of the land of an extent of 13 cents comprised in Old Survey No.101/12, T.S.No.104, 105 and 106, Block No.40, Rajaji Nagar, Thiruvannamiyur village, Chennai-600 041 by putting up a Park or a Sports ground in the said land and maintain it properly.

For Petitioner : Ms.AL.Ganthimathi

For Respondents : Mr.STS.Moorthy
Government Pleader

assisted by
Mr.V.Shanmugha Sundar
Government Advocate for R1 and R3

Mr.K.Soundararajan for R2

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

On perusal of the writ petition, we find that in 2009, a representation was made about the encroachment on public land and it was stated that the problem stood remedied as per the respondents. This reply by the first respondent was of 07.04.2010. Thereafter, there has been a silence of two and half years when the petitioner addressed a communication on 05.09.2012 and after 11.01.2013, there has been a complete silence for a period of two and half years. Thus, nothing has been done in the recent proximity of time by the petitioner to agitate the grievance.

2. We, thus, are of the view that this is a stale case under the category of public interest litigation and if the petitioner wants some remedy, he must first address the authorities concerned by representation sketching out the current facts and if such representation is made, naturally, the concerned respondents are required to dispose of the representation within a maximum period of one month of the receipt of the same, after notice to all concerned.

3. The writ petition, accordingly, stands closed. No costs.

Sd/-

Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

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To

- 1.The Commissioner for Land Administration,
Government of Tamil Nadu,
Chepauk, Chennai-600 005.
- 2.The Commissioner,
Corporation of Chennai,
Ripon Buildings, Park Town,
Chennai-600 003.
- 3.The Tahsildar,
Mylapore-Triplicane Taluk,
Mylapore, Chennai-600 028.

+1 cc to M/s.AL.Ganthimathi, Advocate, sr.37588.

+1 cc to Government Pleader, sr.37284

W.P.No.21951 of 2015

su(co)

kra(04/08)