

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.12.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P. No.39202 of 2015

A.Shanmuga Barathi

[PETITIONER]

Vs

1 The Executive Officer
Thirumuruganpoondi Town Panchayat
Tiruppur-641 652.

2 The President
Iswarya Gardens Residents Association
Iswarya Gardens
Anupparpalayam
Tiruppur- 641 654.

[RESPONDENTS]

PRAYER: Petition filed Under Article 226 of the Constitution of India praying to issue Writ of mandamus to direct the first respondent herein to consider and pass orders on the petitioner's representation dated 14.09.2015, within a stipulated period.

For Petitioner : Mr.K.Govi Ganesan

For Respondents : Mr.R.Rajeswaran
Spl.Govt. Pleader for R1

O R D E R
सत्यमेव जयते

With the consent of the learned counsel appearing on either side, the Writ Petition is taken up for final disposal.

2.Heard Mr.K.Govi Ganesan, learned Counsel appearing for the petitioner and Mr.R.Rajeswaran, learned Special Government Pleader who accepts notice for the respondents.

3.The petitioner seeks for issuance of a writ of mandamus to direct the first respondent to consider and pass orders on the representation submitted by him dated 14.09.2015, within a stipulated period.

4.In the said representation, the petitioner seeks for permission to plant trees on road margin. It appears to be a dispute between the petitioner and the residents association. Therefore, the prayer sought for in the Writ Petition cannot be granted. If the petitioner wants to plant trees and promote greenery, he has to approach the authority concerned and with their permission and in the place designated by the authorities alone, the petitioner can plant the trees. Therefore, the relief sought for by the petitioner cannot be granted.

5.Accordingly, the Writ Petition fails and the same is dismissed. No costs.

rpa

s/d-

Assistant Registrar(CS-VII)

True Copy

Sub-Assistant Registrar

To

The Executive Officer
Thirumuruganpoondi Town Panchayat
Tiruppur-641 652.

+ 1 cc to Mr.R.Goviganesan, Advocate SR 66962

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