

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2015

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.9282 of 2015

K.C.Balakrishnan .. Petitioner

Vs.

- 1.The Principal District Judge,
Erode.
- 2.The Sub Registrar,
Kodumudi-638 151,
Erode District.
- 3.The Special Officer,
Kodumudi Growers Co-operative
Credit Society Ltd (A.A.713),
No.6/64, Kadai Veedhi,
Kodumudi-638 151, Erode District.
- 4.The Secretary,
Revenue Department,
State of Tamil Nadu,
Secretariat, Chennai-600 009. .. Respondents

(Respondent No.4 impleaded as per the
order dt. 5.10.2015)

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorari by calling for the records relating to the proceedings of the first respondent dated 7.5.2013 made in D.No.6569/13, quash the same.

For Petitioner : Mr.K.Rajseakaran

For Respondents : Mr.E.K.Kumaresan for R1

Mr.STS.Moorthy
Government Pleader
assisted by
Mr.V.Shanmugasundar
Government Advocate for R2 and R4
Ms.T.P.Savitha for R3

ORDER

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

The affidavit filed by the District Collector, Erode states that various Government Offices are required to be constructed in the proposed Kodumudi Taluk, which has been announced by the Chief Minister of Tami Nadu and thus, the land would be handed over to the Revenue Department for the purposes of being allotted for public purpose.

2. The petitioner-donee, faced with the situation of non-utilisation of the land for Court complex for which it was originally gifted, has filed a Memo setting out his preference of purpose as under:-

- "a) For the Sub Treasury Office, Kodumudi, which is functioning in a rented building for the past 28 years;
- b) For Kodumudi Growers' Co-operative Credit Society Limited for establishing permanent buildings for its office;
- c) For Tamil Nadu Electricity Board, Town Branch which is also functioning in a rented premises for the past so many years;
- d) For Postal Department of the Indian Government for establishing a permanent building for the Post Office which is also functioning in a rented premises for decades; and
- e) Since Kodumudi has been declared as a Taluk very recently by the Tamil Nadu Government, for the purpose of establishing permanent buildings for Taluk office."

3. The submission of the learned counsel for the petitioner is that while so utilising the land, the aforesaid preference of the petitioner should be kept in mind, an aspect over which there can be little dispute.

4. The writ petition, thus, stands disposed of in terms aforesaid. No costs.

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

bbr

To

1.The Principal District Judge, Erode.

2.The Sub Registrar,
Kodumudi-638 151,
Erode District.

3.The Secretary,
Revenue Department,
State of Tamil Nadu,
Secretariat, Chennai-600 009.

1 cc to Mr.T.P. Savitha, Advocate, Sr. 68093
1 cc to Mr.K. Rajasekaran, Advocate, Sr. 68048
1 cc to Government Pleader, Sr. 67742
1 cc to Mr.E.K. Kumaresan, Advocate, Sr. 67730

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