

In the High Court of Judicature at Madras

Dated: 30-10-2015

Coram:

THE HON'BLE MR.JUSTICE M.JAICHANDREN

W.P. No.27845 of 2012

Tamil Nadu Private School
Teachers Sangam Rep.
by its General Secretary K.Palani,
1371, LIG 11, MMDA Mathur,
Chennai-68. ... Petitioner.

Versus

1. State of Tamilnadu
rep. by its Chief Secretary to Government,
Fort St. George,
Chennai-600 001.
2. The National Council of Young Men's
Christian Association of India
Rep. by the Correspondent,
Y.M.C.A. College for Physical Education,
Nandanam, Chennai 600 035. ... Respondents.

Prayer: Writ Petition is filed to issue a Writ of Mandamus,
directing the 1st respondent to dispose of the representation
dated 30.8.2012.

For petitioner : No Appearance

For respondents : Mr.Ravichandran, AGP (R1)

ORDER

Today, when the matter had been listed under the caption
'For Orders', there was no representation on behalf of the
petitioner.

2. It has been stated that that the Government of Tamilnadu
had allotted 63.54 acres of land, to the second respondent, for
the purpose of rendering physical education to students, who are
residing in and around the Chennai District. Even though the
first respondent had imposed nearly 16 conditions to the second

respondent, the said conditions had been violated, by the second respondent. The land allotted to the second respondent is, in fact, under the control of the Public Works Department, contrary to the condition imposed, while allotting the land for the use of the second respondent.

3. The petitioner has further stated that, in spite of several representations made by the petitioner Association, to various authorities, no action had been taken against the second respondent, till date. Hence, the petitioner Association has filed the present Writ Petition, under Article 226 of the Constitution of India.

4. The learned counsel for the first respondent had submitted that the petitioner has no right to question the allotment of the land in question in favour of the second respondent, for its use, to impart physical education to students. The petitioner Association has not been in a position to show that the conditions of allotment had been violated, by the second respondent. Further, the present Writ Petition is not a Public Interest Litigation filed by the petitioner. As such, the Writ Petition deserves to be dismissed.

5. In view of the submissions made by the learned counsel for the first respondent, and on a perusal of the records available, this Court is of the considered view that the petitioner has not shown sufficient evidence to state that the second respondent had violated the conditions imposed at the time of the allotment of land, to the second respondent. Even otherwise, the petitioner Association does not have any right to question the allotment of land in favour of the second respondent, especially, when it has not been shown that the petitioner Association is an aggrieved party. In such circumstances, this Court is of the considered view that the Writ Petition is devoid of merits. Hence, the Writ Petition stands dismissed. No costs.

csb

s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To

1. The Chief Secretary to Govt.
State of Tamilnadu
Fort St. George,
Chennai-600 001.

2. The Correspondent,
The National Council of Young Men's
Christian Association of India
Y.M.C.A. College for Physical Education,
Nandanam, Chennai 600 035.

+ 1 cc to Govt.Pleader Sr 60059

+ 1 cc to Mr.D.Bharathy, Advocate SR 59673

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