

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.01.2016

CORAM :

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

AND

The Hon'ble MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P. No.1504 of 2016

and

W.M.P.No.1285 of 2016

G.V.Kalvirayer
President, Vadalore Consumer Rights
Protection Organisation, Vadalore,
Cuddalore District. ... Petitioner

-vs-

1.The Principal Secretary to Government,
Local Body, Tamil Nadu Secretariat,
St. George Fort, Chennai.

2.The Asst. Director,
Town Panchayat,
Directorate of Town Panchayat,
Chennai.

3.The District Collector,
District Collectorate,
Cuddalore.

4.The Executive Officer,
Vadalore Town Panchayat,
Vadalore, Cuddalore District.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondents 1 to 3 to implement the Emergency Note issued by 2nd respondent in Na.Ka.No.1673/2013 Town-3 dated 02.05.2013 and further direct the 4th respondent to implement the Letter Note Na.Ka.No.766/14/A1 dated 22.12.2014 issued by the 4th respondent and also direct the respondents to consider the representation dated 09.09.2015.

For Petitioner : Mr.A.Ansar

For Respondents: Mr.S.T.S.Murthi,
Govt. Pleader, assisted by
Mr.V.R.Kamalanathan, Addl.G.P.
for RR 1 to 3

O R D E R

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

The grievance of the petitioner is that in the Raghavendra City which is a residential area, the land marked for parks and children playground is being used as cow market causing various problems. This issue has been followed up by making representations from time to time, but to no avail. It is pointed out that even as per the communication of the Commissioner, Town & Country Planning Department, dated 28.07.2007, it has been clarified that in view of various judicial pronouncements, land allotted for creating parks, open ground and ground for children to play meant for public use should be used only for those purposes. The last representation made by the petitioner is dated 09.09.2015.

2.We fail to understand why the issue should continue to fester for years and even the representations remain unattended showing callousness on part of the department to the representation of the public at large. The least that was expected was a response to the representation, which would obviate the necessity of filing the present petition.

3.We, thus, direct the District Collector / the 3rd respondent to dispose of the representation dated 09.09.2015 within one (1) month of the receipt of the order by a speaking decision and necessary action required in pursuance thereto be taken within a maximum period of two (2) months thereafter.

4.Writ Petition, accordingly, stands disposed of. No costs. Consequently, W.M.P.No.1285 of 2016 stands closed.

Sd/-
Assistant Registrar(V)

//True Copy//

Sub Assistant Registrar

sra

To

- 1.The Principal Secretary to Government,
Local Body, Tamil Nadu Secretariat,
St. George Fort, Chennai.
- 2.The Asst. Director,
Town Panchayat, Directorate of
Town Panchayat, Chennai.
- 3.The District Collector,
District Collectorate, Cuddalore.
- 4.The Executive Officer,
Vadalore Town Panchayat,
Vadalore, Cuddalore District.

+1cc to Mr.A. Ansar, Advocate, S.R.No.2966

+1cc to the Government Pleader, S.R.No.2980

KSJ(CO)
EU(01/02/2015)

W.P.No.1504 of 2016



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