

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2017

CORAM

The HON'BLE MS.INDIRA BANERJEE, CHIEF JUSTICE
AND
The HON'BLE MR.JUSTICE M.SUNDAR

W.P.No.24215 of 2017
and WMP.No.25590 of 2017

K.Mohan

.. Petitioner

Vs.

Commissioner,
Nellikuppam Municipality,
Nellikuppam,
Panruti Taluk,
Cuddalore District.

.. Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus forbearing the respondent and its men from converting places earmarked for public purposes such as park and playground for children in Sri Lakshminarayanapuram Nagar, Thirukandeswaram, Nellikuppam, Panruti Taluk, Cuddalore District.

For Petitioner : Mr.R.Mohammed Nasrullah
for M/s.R. Gururaj

For Respondents : Mr.S.N.Subramani

ORDER

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

This writ petition has been filed seeking a writ of mandamus restraining the respondent from converting places earmarked for public purposes such as park and playground for children in Sri Lakshminarayanapuram Nagar, Thirukandeswaram, Nellikuppam, Panruti Taluk, Cuddalore District for any other purpose.

2. According to the petitioner, Sri Lakshminarayanapuram Nagar is an approved layout. It is approved by the Director of Town Planning as No.33/2003-73. The layout comprises 39 plots. The layout includes space reserved for park and playground for children. It is alleged that basic facilities have not been provided for the layout. In paragraph 7 of the affidavit, it is alleged that the respondent all of a sudden started to lay foundation in the places reserved for public purposes for the purpose of construction of public toilets.

3. First of all, the land in question is a private land and in any case, the construction of public toilets for the benefit of the public is a public purpose.

4. The writ petition is clearly not in public interest and the same is dismissed. No costs. Consequently, WMP.No.25590 of 2017 is closed.

s/d-
Assistant Registrar(CS VI)

True Copy

Sub-Assistant Registrar

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To:

The Commissioner,
Nellikupam Municipality,
Nellikuppam,
Panruti Taluk,
Cuddalore District.

+1 CC to The Govt. Pleader sr 68167.
+1 CC to Ms.S.N. Subramani, Advocate sr 67983.
+1 CC to Ms.R. Gururaj, Advocate sr 68309.

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W.P.No.24215 of 2017

SS(CO)
sp(11/10/2017)