IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.10.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.26183 of 2017

& W.M.P.Nos.27836 & 27837 of 2017

S.Tamilarasi .. Petitioner

Vs.

1. The Commissioner,
   Chennai City Municipal Corporation,
   Ripon Building, Chennai-600 003.
2. The Zonal Officer, Zone-XIII,
   No.115, Dr.Muthulakshmi Salai,
   Adyar, Chennai-600 020.
3. The Commissioner of Police,
   Greater Chennai, EVK Sampath Salai,
   Vepery, Chennai-600 007.
4. The Director of Fire and Rescue Services,
   Egmore, Chennai-600 008.
5. The President,
   Chennai Divisional Railway Staff Co-operative
   Building Society Ltd. (XNC 483),
   No.12, Mahalakshmi Nagar,
   5th Cross Street, Adambakkam, Chennai-600 088.
6. The Registrar of Co-operative Societies (Housing),
   No.48, Ritherdon Road (2nd Floor),
   Vepery, Chennai- 600 007. ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the first respondent to protect the Open Space Reservation Land in Mahalakshmi Nagar of Division No.177 Zone 13 of Chennai Corporation by making fence immediately so as to protect the 7 Crore value of Park Land and put to use to the residents, their children and public, maintaining the land only as a park and play field so as to maintain the social ecology also.

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For Petitioner : Mr.T.Ranganathan
For RR1 & 2 : Mr.T.C.Gopala Krishnan, for Corporation
For RR3 & 4 : Mr.S.Diwakar, Spl.GP
For RR5 & 6 : Mr.L.P.Shanmuga Sundaram, Spl.GP (Co-op)

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ORDER

The petitioner has come forward with this Writ Petition praying for issuance of a Writ of Mandamus to direct the first respondent to protect the Open Space Reservation Land in Mahalakshmi Nagar of Division No.177, Zone 13 of Chennai Corporation by making fence immediately so as to protect the 7 Crore value of Park Land and put to use to the residents, their children and public, maintaining the land only as a park and play field so as to maintain the social ecology also.

2. This court, by way of an interim order in the writ petition, on 06.10.2017, directed the first respondent to personally inspect the place in question and ensure that there is no encroachment in the place and with respect to the present usage of Open Space Reserve (OSR) prevailing as of now and the feasibility of maintenance of the park in question.

3. When the mater is taken up for hearing, the learned counsel for the respondents 1 and 2 would submit that the OSR land has been restored and that there are no encroachment as on date and that they would take effective steps to have park in terms of the communication dated 19.08.2016.

4. The above submission of the learned counsel for the respondents 1 and 2 is recorded and no further order is required in this writ petition. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

pvs / mm

To:

1. The Commissioner,
Chennai City Municipal Corporation,
Ripon Building, Chennai-600 003.

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6. The Registrar of Co-operative Societies (Housing),
   No.48, Ritherdon Road (2nd Floor),
   Vepery, Chennai- 600 007.

+1 CC to The Government Pleader (SR.No.76948)

+1 CC to Mr.T.Ranganathan, Advocate SR.No.75555

+1 CC to Mr.T.C.Gopala Krishnan, Advocate SR.No.75839

CO-MSM
ths : 21.11.2017

W.P.No.26183 of 2017

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