



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.09.2017

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD) No.12025 of 2015
and
M.P. (MD) No.1 of 2015

C.Ramesh

... Petitioner

Vs.

1. The State Government,
Rep.by its Principal Secretary,
Department of Municipal
Administration and Water
Supply Department,
Secretariat, Chennai.
2. The Assistant Director,
Town & Country Planning,
Madurai Division,
4, Hakeem Abdul Kalam Road,
Madurai.
3. The District Collector,
Theni District, Theni.
4. The Executive Officer,
Palanichettipatti Town Panchayat,
Theni District.
5. The President,
Palanichettipatti Town Panchayat,
Theni District.

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to preserve the parks earmarked as I, II and III situated at S.No.64/3, 64/4, 64/5 in Palanichettipatti, Veerapandi Village, Periyakulam, Theni District admeasuring 21,521 square feet and consequently to remove the constructions and encroachments.



For Petitioner
For Respondents

: Mr.S.M.S.Johnny Basha
: Mr.T.S.Md.Mohideen,
Addl. Govt. Pleader for RR1 to 4
No appearance for R5

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ORDER

(Order of the Court was made by G.R.SWAMINATHAN, J.)

The writ petitioner wants the areas earmarked as Parks in Palanichettipatti, Veerapandi Village, Periyakulam, Theni District to be maintained as Parks.

2.Even though the fourth respondent in the writ petition would question the motives of the writ petitioner, in the counter affidavit filed by the fourth respondent, it has been mentioned that the areas earmarked as parks are maintained as such. Of course, there has also been a construction of ration shop measuring 537.5 sq.ft. Since the construction of ration shop is for the use of general public, we do not want to interfere in the matter.

3.Recording the submissions made in the counter affidavit with regard to the maintenance of Park, we dispose of this writ petition. Consequently the connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar (Records)

/True copy/

Sub Assistant Registrar

To

1. The Principal Secretary,
Department of Municipal
Administration and Water
Supply Department,
Secretariat, Chennai.
2. The Assistant Director,
Town & Country Planning,
Madurai Division,
4, Hakeem Abdul Kalam Road,
Madurai.
3. The District Collector,
Theni District, Theni.



4. The Executive Officer,
Palanichettipatti Town Panchayat,
Theni District.

+ 1 CC TO MR.T.S.Md.Mohideen, ADVOCATE IN SR No.78911

+ 1 CC TO MR.S.M.S.Johnny Basha, ADVOCATE IN SR No.78686

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 79018

skm/arul

MK/KP/SAR-1/13.10.2017/3P/8C

W.P (MD) No.12025 of 2015

and

M.P. (MD) No.1 of 2015

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