



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **14.12.2017**

CORAM:

THE HONOURABLE MR.JUSTICE M.VENUGOPAL
AND
THE HONOURABLE MRS.JUSTICE R.THARANI

W.P. (MD) No.20860 of 2017

Tharuvai Maithanam(SDAT)
Users Welfare Association,
Reg. No.37/2012,
Through its Secretary,
Ganesan

: Petitioner

.vs.

1. The Member Secretary,
Sports Development Authority of Tamilnadu,
EVR Road, Shasthri Nagar,
Chetpat,
Chennai.

2. The District Collector,
Tuticorin,
Tuticorin District.

3. The District Sports Officer,
Tharuvai Stadium (SDAT),
Tuticorin,
Tuticorin District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying this Court for issuance of a Writ of Mandamus directing the 1st Respondent to desist from collecting money from general public and students for using Tharuvai Stadium, Tuticorin for the purpose of walking and other sports activities by considering the representation dated 25.10.2017.

For Petitioner	:Mr.D.Sasikumar
For R-1	:Mr.I.Sathish
For R-2 & R-3	:Mr.T.R.Janarthanan, Additional Government Pleader

O R D E R

[Order of the Court was made by **M.VENUGOPAL, J.**]

The Petitioner has preferred the instant Writ Petition praying
<https://hcservices.ecourts.gov.in/hcservices/> for passing of an order by this Court in directing the 1st
Respondent to desist from collecting money from general public and



students for using Tharuvai Stadium, Tuticorin for the purpose of walking and other sports activities, by considering the Representation dated 25.10.2017.

2. Heard both sides. No Counter-affidavit is filed on behalf of Respondent Nos.1 to 3.

3. By consent, the main Writ Petition itself is taken up for final disposal.

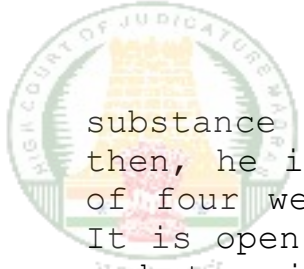
4. According to the Petitioner, the Tuticorin Municipality now upgraded as Corporation had established a Stadium with liberal contribution of public and Industries in the year 1995 and thereafter, the Municipality had handed over the Stadium to the First Respondent/Authority. As on date, the Stadium is now under the administrative control of the First Respondent.

5. The Grievance of the Petitioner is that the First Respondent had taken a unilateral and hasty decision to collect maintenance fee from the users and at their behest, the Third Respondent/Tharuvai Stadium had put up a Notice Board informing the public that the users will have to pay money with effect from 01.11.2017 and the tariff rate for numerous activities in the Stadium was fixed. For using the Walking Track, Rs.300/- per year for School Students/sports person, Rs.500/- per year for College Students and Rs.1000/- per year for General Public has been fixed as tariff. Collecting fee for utilising the Walking Track is utter violation of the objective of the First Respondent/Sports Development Authority of Tamil Nadu.

6. It comes to be known that the Petitioner/Association had addressed a Representation to the Respondents on 25.10.2017 requesting them to desist from collecting fee for using the Stadium for various sports activities and for walking purpose. In fact, the Secretary of the Petitioner/Association had met the Third Respondent personally and submitted a Representation on 25.10.2017 requesting him not to collect fee for using the Stadium. However, till date the same has not been considered.

7. Per contra, it is the submission of the Learned Counsel for the First Respondent that the Petitioner's Representation dated 25.10.2017 is under active consideration of the First Respondent/Member Secretary, Sport Development Authority of Tamilnadu, Chennai.

8. Considering the fact that the Petitioner's Representation dated 25.10.2017 in the subject matter in issue is pending on the file of the First Respondent, this Court simpliciter without delving into the contents/merits of the Representation of the Petitioner dated 25.10.2017, directs the First Respondent to look into the Representation of the Petitioner and if he finds any



substance in regard to the contents of the said Representation, then, he is to dispose of the said Representation within a period of four weeks from the date of receipt of a copy of this order. It is open to the Petitioner to appear before the First Respondent and to air the grievance in this regard and if any personal hearing is granted by the First Respondent to and in favour of the Petitioner, then, the First Respondent at the time of passing final orders based on the Representation of the Petitioner, dated 25.10.2017, is to consider the attendant facts and circumstances of the factual aspects mentioned in the Representation and the legal issues and to pass a reasoned speaking order within the time adumbrated by this Court.

9. With the above said observation(s) and direction(s), the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(crl side)

/True Copy/

Sub Assistant Registrar

To

1. The Member Secretary,
Sports Development Authority of Tamilnadu,
EVR Road, Shasthri Nagar,
Chetpat, Chennai.
2. The District Collector,
Tuticorin, Tuticorin District.
3. The District Sports Officer,
Tharuvai Stadium (SDAT),
Tuticorin, Tuticorin District.

+1cc to Mr.D.Sasikumar, Advocate Sr.No.92940

+1cc to Spl.Government Pleader Sr.No.92976

PM

VB/SKN/RSK/SAR3/27/12/2017/3P/6C

ORDER MADE IN
W.P. (MD) No.20860 of 2017
14.12.2017