



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.02.2017

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM

and

THE HONOURABLE MR.JUSTICE P.KALAIYARASAN

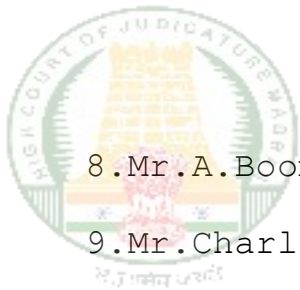
W.P(MD)No.2748 of 2017

and

W.M.P(MD)No.2278 of 2017

Sembaruthi Nagar Veetu Urimaiyalargal Matrum
Kudiyirupor Nala Sangam rep. by its Secretary
A.Sakthivel, Plot No.47, Door No.7/13,
4th Cross Street, Sembaruthi Nagar,
New Vilangudi, Madurai - 625 018. .. Petitioner
Vs.

- 1.State of Tamil Nadu rep. by its Secretary,
Department of Housing and Urban Development,
Fort St. George, Chennai-600 009.
- 2.The Director of Town and Country Planning,
O/o.The Director of Town and Country Planning,
Opposite to Life Insurance Corporation of India,
Chengalvarayan Building, Fourth Floor,
807, Anna Saalai, Chennai - 600 002.
- 3.The Deputy Director of Town and Country Planning
O/o.The Deputy Director of Town and Country Planning,
Hakkim Amalkhan Road, Chinna Chokkikulam,
Madurai - 625 002.
- 4.The District Collector,
Madurai District, Madurai.
- 5.The Madurai Corporation rep by its
Commissioner, Madurai.
- 6.Local Town Planning Authority
rep by its Member Secretary,
3rd Floor, Madurai Corporation Building,
Tallakulam, Madurai -625 002.
- 7.Mrs.Deivanaiammal



8.Mr.A.Boominathan

9.Mr.Charles Selvaraj

.. Respondents

WEB COPY

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the Respondent No.1 to 6 to carry out the maintenance and renovation work in respect of the three parks situated in Ward No.23, Sembaruthi Nagar (previously known as Meiappan Nagar), Vilangudi, Madurai Corporation and consequently for a direction forbearing the Respondent No.7 to 9 from encroaching the common area earmarked as Parks for public utility in S.Nos.183/1A, 183/1B, 183/3, 187, 187/1 and 187/8, Ward No.23, Sembaruthi Nagar (previously known as Meiappan Nagar), Vilangudi, Madurai Corporation.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.M.Govindan,
1 to 4 and 6 Special Government Pleader.

For Respondent No.5 : Mr.T.S.Mohamed Mohideen

ORDER

[Order of the Court was made by A.SELVAM, J.]

This writ petition has been filed under Article 226 of the Constitution of India praying to direct the respondents to maintain and renovate the parks mentioned in the petition situate in Ward No.23, Sembaruthi Nagar within the limit of Madurai Corporation and also for forbearing the respondents 7 to 9 from encroaching the same, by way of issuing a writ of mandamus.

2.Mr.M.Govindan, learned Special Government Pleader, has taken notice for the respondents 1 to 4 and 6 and Mr.T.S.Mohamed Mohideen, learned counsel, has taken notice for the fifth respondent.

3.It is seen from the records that in the survey numbers mentioned in the petition, three parks are situate.

4.The main contention putforth on the side of the petitioner is that the same are not being maintained properly. Under the said circumstances, the present writ petition has been filed.

<https://hcservices.ecourts.gov.in/hcservices/> 5.Considering the fact that in the survey numbers mentioned in the petition, three parks are situate and the same have not



been maintained properly, this Court is inclined to pass the following order.

6. In fine, this writ petition is allowed without costs and the fifth respondent viz., Commissioner, Madurai Corporation is directed to maintain and renovate the parks mentioned in the petition within a period of six months. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Secretary,
Department of Housing and Urban Development,
Government of Tamil Nadu, Fort St. George,
Chennai - 600 009.
2. The Director of Town and Country Planning,
O/o. The Director of Town and Country Planning,
Opposite to Life Insurance Corporation of India,
Chengalvarayan Building, Fourth Floor,
807, Anna Saalai, Chennai - 600 002.
3. The Deputy Director of Town and Country Planning
O/o. The Deputy Director of Town and Country Planning,
Hakkim Amalkhan Road, Chinna Chokkikulam,
Madurai - 625 002.
4. The District Collector,
Madurai District, Madurai.
5. The Commissioner,
Madurai Corporation, Madurai.
6. The Member Secretary,
Local Town Planning Authority,
3rd Floor, Madurai Corporation Building,
Tallakulam, Madurai - 625 002.

+1cc to M/s. T.S. MOHAMED MOHIDHEEN Advocate in SR. No. 9030

+1cc to SPECIAL GOVERNMENT PLEADER In SR. No. 9189

+1cc to M/S. T. LAJAPATHI ROY, ADVOCATE SR. No. 9169

SMN

JS/BS/27.02.2017/3P-9C



WEB COPY

ORDER MADE IN
W.P (MD) No.2748 of 2017
and
W.M.P (MD) No.2278 of 2017
17.02.2017