

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.07.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.25579 of 2016
& WMP.No.21946 of 2016

P.Anandakrishnan

..Petitioner

Vs

1.The District Collector,
Erode District.

2.The Commissioner,
Erode Municipal Corporation,
Erode.

...Respondents

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus to forbear the respondents 1 and 2, their subordinate, men and agents from either converting, demolishing the superstructure or utilise the same for different purpose other than the earmarked purpose of play ground, public park in the reserve site provided for the residents of B-19 to B-66 of Sampath Nagar, Erode having the extent of 105 feet on East West and 165 Feet on North South by considering the petitioner's representation dated 18.07.2016.

For Petitioner : M/s.R.Nalliyappan

For Respondents : Mr.B.Anand, G.A., for R1

Mr.Raja Mathivanan, for R2

ORDER

Heard the learned counsel for the petitioner, the learned Government Advocate for the first respondent and the learned Standing Counsel for the second respondent and perused the materials available on record.

2. The petitioner has come forward with this writ petition for issuance of a writ of mandamus to forbear the respondents 1 and 2 from converting, demolishing the superstructure or utilise the same for different purpose other than the earmarked purpose of play ground, public park in the reserve site, based on his representation dated 18.07.2016.

3. The learned counsel for the petitioner submitted that despite the decree passed by the competent Civil Court in O.S.No.339 of 2002, dated 04.08.2003, the respondents have made an attempt to construct quarters for the District Revenue Officer. According to the petitioner, the land allotted for the public purpose in the approved layout, such as play ground or public park, cannot be utilised for any other purpose.

4. The learned Standing Counsel for the second respondent on instructions submitted that the quarters for the District Revenue Officer was constructed in different place and the second respondent has no plan to utilise the said area for any other purpose.

5. Recording the submission of the learned Standing Counsel, this writ petition is closed as no further adjudication is necessary in this case. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

pvs

To

1.The District Collector,
Erode District.

2.The Commissioner,
Erode Municipal Corporation,
Erode.

+1cc to Mr.I.C.vasudevan, Advocate, S.R.No. 44968
+1cc to Mr.M.Rajamathivanan, Advocate, S.R.No.44314
+1cc to the Government Pleader, S.R.No.45368

W.P.No.25579 of 2016

RJ (CO)
BM 23/07/2018