

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2018

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM
W.P.No.34857 of 2007
and M.P.Nos.1, 2 & 3 of 2007

Rasipuram Bharathi Nagar Welfare Association,
Regn No.40 of 1994

Rep. by its President Dr.M.Ramakrishnan,
Door No.45, Bharathi Nagar,
Swami Sivananda Salai,
Rasipuram Post,
Rasipuram Taluk, Namakkal District.

... Petitioner

Vs.

1. Rasipuram Municipality,
Rep by its Commissioner,
Bharathidasan Salai,
Rasipuram.

2. Aranga Thirumalai,

3. Saraswathy

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 permit the petitioner's Association to develop an open space and park area, measuring about 19,132.5 sq.ft of lands, comprised in Old Survey No.182/5 (Part), New Survey No.160/1A, 1A, Block No.6, Ward - A, Swami Sivananda Salai, Rasipuram as park with recreational facilities for th members of the petitioner's association and maintain the same.

For Petitioner : Mr. P.Mathivanan
For Respondents: Mr. K.Balasubramanian for R1
Mr. C.Vediappan for R2 and R3

ORDER

The petitioner has come forward with the present writ petition seeking for issuance of a writ of mandamus directing the the first respondent to permit the petitioner's Association

to develop an open space and park area, measuring about 19,132.5 sq.ft of lands, comprised in Old Survey No.182/5 (Part), New Survey No.160/1A 1A, Block No.6, Ward - A, Swami Sivananda Salai, Rasipuram as park with recreational facilities for the members of the petitioner's association and maintain the same.

2. Heard Mr.P.Mathivanan, the learned counsel appearing for the petitioner, Mr.K.Balasubramanian, learned counsel appearing for first respondent and Mr.C.Vediappan learned counsel appearing for the second and third respondents.

3. Taking note of the facts and the prayer sought for in this writ petition, this Court without going into the merits of the claim made by the petitioner directs the petitioner to give a fresh representation along with a copy of this order to the first respondent within a period of two weeks from the date of receipt of a copy of this order and on receipt of such representation the first respondent shall consider the same and pass orders on merits and in accordance with law within a period of twelve weeks thereafter. Accordingly, the writ petition stands disposed of. No costs. Consequently connected miscellaneous petitions are also closed.

Sd/-
Assistant Registrar(CS VI)

//True copy//

Sub Assistant Registrar

dpq

To

1. Rasipuram Municipality,
Rep by its Commissioner,
Bharathidasan Salai,
Rasipuram.

+1cc to Mr.K.Balasubramanian, Advocate SR.No.2817

W.P.No.34857 of 2007

MR(CO)
GN(13/02/2018)