

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :24.01.2019

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.41468 of 2005
and
W.M.P.No.44536 of 2005

R.Pitchandi

.. Petitioner

vs

1.The Director,
Town and Country Planning Authority,
807, Anna Salai,
Chennai - 2.

2.The District Collector,
Vellore District.
Sathuvachari,
Vellore-9.

3.The Executive Officer,
Allapuram Selection Grade Panchayat,
Sainathapuram,
Vellore-1.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of Certiorarified Mandamus, calling for the records relating to the second respondent vide proceedings No.222/05/E, dated 22.11.2005 and quash the same and consequently direct the second respondent to restore the park in Survey No.163/1, 163/2, 163/3. situated in Sastri Nagar with in the limits of Allapuram special grade panchayat measuring about 55890 sq.ft.

For Petitioner : Mr.S.Vijayakumar

For Respondents : Mrs.R.Janaki
Additional Government Pleader

O R D E R

The present writ petition has been filed to challenge the memo dated 22.11.2005, which is a reply provided to the writ petitioner stating that a policy decision has been implemented

by the District Collector in the interest of public and for the welfare of the people residing in that locality.

2. The petitioner claims that he inherited property measuring 12.65 acres in S.No.163/1, 163/2, 163/3 situated in Sastri Nagar within the limits of Allapuram Special Grade Panchayat and therefore, the said property cannot be utilized by the Revenue Authorities.

3. The order impugned states that the 12.65 acres in the lay out had been handed over for maintaining public park and to implement drainage schemes. Even the impugned order states that the schemes are implemented in the interest of public and for the benefit of the people residing in that locality. Such a policy decision taken by the State and implemented in the interest of the public cannot be questioned by the writ petitioner and if at all, any personal grievance exists for the writ petitioner, it is left open to him to redress the same to the competent authorities in the manner known to law.

4. As far as the impugned order is concerned, this Court is of the considered opinion that the writ petitioner has not established any acceptable legal ground for considering the relief, as such sought for in the present writ petition. Accordingly, writ petition stands dismissed. Consequently, connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

dua/ska

To

1.The Director,
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807, Anna Salai,
Chennai - 2.

2.The District Collector,
Vellore District.
Sathuvachari,
Vellore-9.

3.The Executive Officer,
Allapuram Selection Grade Panchayat,
Sainathapuram,
Vellore-1.

+1 cc to The Government Pleader, Advocate SR.No.6509

+1 cc to Mr.S.Vijayakumar, Advocate SR.No.5740

W.P.No.41468 of 2005

and

W.M.P.No.44536 of 2005

SSI (CO)
CSL/18.02.2019



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