

W.M.P. No. 11100 of 2019
in
W.P. No. 1806 of 2019

P.D.AUDIKESAVALU, J.

The Petitioners in W.P. No. 1806 of 2019 have sought for grant of patta for the property for using the same as School. The same is objected by the Petitioner in W.M.P. No. 11100 of 2019 on the ground that the said area has been earmarked for playground and the Petitioners cannot have any right for the same. Relevant documents have also been produced in this regard.

2. In view of the same, the Petitioner in W.M.P. No. 11100 of 2019 is impleaded as the Third Respondent in W.P. No. 1806 of 2019.

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P.D.AUDIKESAVALU , J.

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W.M.P. No. 11100 of 2019
in
W.P. No. 1806 of 2019

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W.P. No. 1806 of 2019

and
W.M.P. No. 1994 of 2019

P.D.AUDIKESAVALU, J.

The Registry is directed to carry out necessary amendment in the Writ Petition pursuant to the order dated 06.06.2019 in W.M.P. No. 11100 of 2019.

2. Mr. K. Elango, Learned Counsel takes notice for the Third Respondent.

3. The Second Respondent has filed Counter Affidavit filed before this Court stating that the Petitioners have already filed Civil Suit in O.S. No. 106 of 2004 in the District Munsif Court, Tiruppur seeking permanent injunction, which has been decreed as prayed for and confirmed in A.S. No. 42 of 2008 before the Principal Sub-Court, Tiruppur and against which Second Appeal has been filed and details of the same shall be furnished to this Court on the next hearing. It is also disputed that the Petitioners are running a School in the premises and it is contended that the said land has been retained as per records of the Local Body for the use as playground.

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P.D.AUDIKESAVALU , J.

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4. In order to have a better understanding of the factual contentions, the Second Respondent, viz., the Commissioner, Tiruppur Corporation is directed to immediately inspect the property with the assistance of a Government Surveyor and file a report supported by a sketch showing the actual measurements, apart from the physical features and topography of the property supported by photographs and video. The approved layout plan shall also be produce before the Court. The aforesaid requirement shall be complied by 21.06.2019.

Post the matter for hearing on 24.06.2019.

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Note: Issue order copy by 14.06.2019.

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