

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 4.1.2019

CORAM

THE HONOURABLE DR.JUSTICE VINEET KOTHARI
AND
THE HONOURABLE Dr.JUSTICE ANITA SUMANTH

W.P.No.22803 of 2018

S.Vijayakumar

... Petitioner

Versus

- 1 The Chief Secretary
Government of TamilNadu
Fort St. George Chennai-9
- 2 The Special Commissioner of Town Country Planning
Government of Tamil Nadu
Chennai
- 3 The Deputy Director,
Town & Country Planning,
Thanjavur Region & Member Secretary
District Level Monitoring Committee for
Traffic Research, Operational and
Management Committee for
Mayiladuthurai-Tanjore Region,
No.33 Rajaapa Nagar 4th Street,
Medical College Road Tanjore 613 001.
- 4 The Principal Secretary
Government of Tamil Nadu Revenue Administration
Chepauk Chennai 9
- 5 The Principal Commissioner & Special Commissioner
Land Revenue and Land Administration
Chepauk Chennai 5
- 6 The Principal Secretary and
Commissioner of Municipal & Water Supply Department
Chepauk Chennai 5
- 7 The Commissioner of
Hindu Religious and Charitable Endowments
Chennai

- 8 The District Collector
Nagapattinam District Nagapattinam
- 9 The Commissioner
Mayiladuthurai Municipality
Mayiladuthurai 609001
Nagapattinam District
- 10 The Tahsildar
Mayiladuthurai 609 001
Nagapattinam District
- 11 The Dharmapura Adheenam Mutt
rep by its Trustee Dharmapuram
Mayiladuthurai 609 001 ... Respondents
(R1-Deleted as per Court order dated 4.9.2018)

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents herein in the interest of Justice to forbear from initiating any work of the New Bus Stand in Manakkudi Village, Nagapattinam District till the proper approvals are obtained under law and till the completion of the ring road.

For petitioner : No appearance.

For RR2 to 6, 8 & 10: Mr.Suresh, Government Advocate

For R7 : Mr.Maharajan,
Special Government Advocate (HR&CE)

For R9 : Mr.P.Srinivas

ORDER

(Order of the court was made by Dr.VINEET KOTHARI, J.)

Neither the petitioner nor any counsel on his behalf is present in court.

2. The petitioner, who is the Member of District Level Operational Plan Research and Monitoring Committee for Mayiladuthurai, Nagapattinam District has filed the present PIL writ petition seeking a mandamus forbearing the respondents from

initiating any work of the New Bus Stand in Mannakudi Village, Nagapattinam District till the proper approvals are obtained under law and till the completion of the ring road.

3. Respondent No.9, The Commissioner Mayiladuthurai Municipality Nagapattinam District has filed his counter to this PIL writ petition contending that the said Municipality selected the lands in Survey Nos.169/1A, 170, 172, 174, 175 176/part for a total extent of 13.77 acres and the District Transport Committee headed by its Chairman had approved the new Bus Stand at the said place, wayback on 21.4.2015 and it is wrong to contend that the new Bus Stand was set up on some agricultural land. It is also stated in para 12 of the Affidavit filed by Respondent No.9 that the distance from Mayiladuthurai Town to Mannakudi Village New Bus Stand is 2 kilometres and Mayiladuthurai Railway Station to Manakudi Village New Bus Stand is 6 Kilometres and therefore to provide transport facility to larger public they have taken such a decision.

4. Having perused the materials placed before us and having heard the learned counsel appearing for the respondents, we are satisfied that there is no merit in the present PIL writ petition filed by the petitioner. He also seems to be not interested in pursuing the present PIL writ petition as he was not present even on the last occasion viz. on 14.11.2018 and even today.

5. In view of the above, we find no merit in the present PIL writ petition and we are of the view that it is liable to be dismissed and accordingly, it is dismissed. No order as to costs. Copy of this order be sent to the petitioner at the address furnished by him.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

ssk.

To:

- 1 The Special Commissioner of Town Country Planning
Government of Tamil Nadu
Chennai

- 2 The Deputy Director,
Town & Country Planning,
Thanjavur Region & Member Secretary
District Level Monitoring Committee for
Traffic Research, Operational and
Management Committee for Mayiladuthurai-Tanjore Region,
No.33 Rajaapa Nagar 4th Street,
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- 3 The Principal Secretary
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- 8 The Commissioner
Mayiladuthurai Municipality
Mayiladuthurai 609001
Nagapattinam District
- 9 The Tahsildar
Mayiladuthurai 609 001, Nagapattinam District

Copy To:

Mr.S.Vijayakumar,
S/o.T.K.Srinivasan, Member,
Traffic Research Operational and Management Plan,
District Level Monitoring Committee for Mayiladuthurai,
28/8 Chinna Kannara Street,
Mayiladuthurai 609 001
Nagapattinam District.

+1 cc to Mr.P.Srinivas, Advocate Sr.No.1177
+1 cc to The Government Pleader, Sr.No.1399

W.P.No.22803 of 2018

RK(CO)
CSL/06.02.2019