



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **11.11.2019**

CORAM:

**THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MRS.JUSTICE R.THARANI**

W.P (MD)NO.24123 OF 2018

and

W.M.P (MD)No.21820 of 2018

K.Thangadurai

:Petitioner

.vs.

1.The Commissioner,
Madurai Corporation,
Madurai.

2.The Director,
Town Planning Officer,
Madurai Corporation Building,
Madurai.

3.T.Badri Narayanan

4.The Member Secretary,
Local Planning Authority,
Madurai.

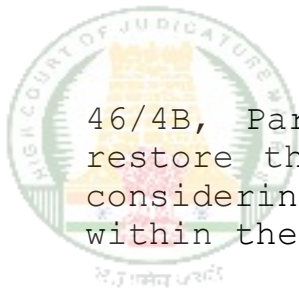
5.A.Jayapaul,
Correspondent,
Mary Ann Matriculation Higher Secondary School,
Madurai-7,
residing at Sixth Street,
Park Town,
Madurai.

(R4 is suomotu impleaded vide order of this Court made
in W.P(MD)No.24123 of 2018, dated 6.12.2018)

(R5 is suomotu impleaded vide order of this Court
dated 2.4.2019)

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution
of India, praying this Court to issue a Writ of Mandamus to direct
the respondents to remove the encroachment in Survey No.46/4A, and



46/4B, Park Town Village, Madurai Taluk, Madurai District and restore the same to its original position as Public Park and by considering the Petitioner's representation dated 27.11.2018 within the period stipulated by this Court.

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For Petitioner : Mr.K.Thangadurai
Party in person

For Respondent-1 : Mr.Mohammed Mohideen

For Respondent-2 : Mr.A.Muthukaruppan
Addl.Govt.Pleader

For Respondent-3 : Mr.T.Lajapathi Roy

O R D E R

[Order of the Court was made by **T.S.SIVAGNANAM., J.**]

We have heard Mr.K.Thangadurai, Petitioner in person, Mr.T.S.Mohammed Mohideen, learned counsel appearing for the first respondent, Mr.A.Muthukaruppan, learned Additional Government Pleader appearing for the second respondent and Mr.T.Lajapathi Roy, learned counsel appearing for the third respondent.

2.After we have elaborately heard the Petitioner, who appeared in person before this Court, the Petitioner has started to pose questions to the Court itself.

3.The case of the Petitioner is that in the approved lay out, open space earmarked for a particular purpose has not been followed properly.

4.The learned Additional Government Pleader appearing for the second respondent submitted that there is no approval granted in respect of land in S.Nos.46/4A and 46/4B.

5.In such circumstances, this Court is not inclined to entertain the present Writ Petition. Accordingly, the Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is dismissed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)



1.The Commissioner,
Madurai Corporation,
Madurai.

2.The Director,
Town Planning Officer,
Madurai Corporation Building,
Madurai.

+1 CC to MR.R.KARUNANIDHI, Advocate (SR-97323[F] dated 11/11/2019)

+1 CC to MR.K.THANGADURAI, Advocate (SR-97379[F] dated 11/11/2019)

+1 CC to MR.T.S. MOHAMED MOHIDEEN, Advocate (SR-97464[F] dated 12/11/2019)

+1 CC to MR.T. LAJAPATHI ROY, Advocate (SR-97528[F] dated 12/11/2019)

ORDER MADE IN
W.P (MD) NO.24123 OF 2018
and
W.M.P (MD) No.21820 of 2018
11.11.2019

KM/ (26.11.2019) 3P 7C