



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.07.2020

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) .No. 7208 of 2020

and

W.M.P. (MD) .No.6639 of 2020

WEB COPY

Muthulakshmi

...Petitioner

Vs.

1.The District Collector,
Trichy.

2.The Commissioner,
Trichirapalli Corporation,
Trichy.

3.The Local Planning Authority,
Tiruchirapalli.

...Respondents

(Respondent No.3 is suo motu impleaded
vide Court order dated 13.07.2020 in
W.P.(MD).No.7208 of 2020)

PRAYER: Writ petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, thereby ensure that the second respondent will not form new drainage in the area allotted as park in Moovandar Nagar, New Ward A, Block 7 of Devadanam, Trichy.

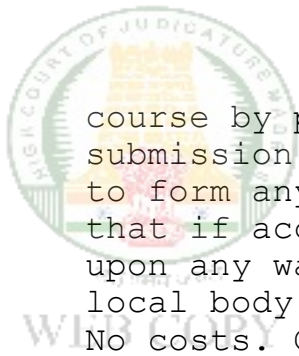
For Petitioner	: Mr.P.Ganapathi Subramanian
For R-1 & R-3	: Mr.S.Angappan Government Advocate
For R-2	: Mr.N.S.Karthikeyan Standing counsel

ORDER

Heard the learned counsel appearing for the petitioner as well as the learned Government Advocate appearing for the respondents 1 and 3 and the learned Standing counsel appearing for the second respondent / Corporation.

2.The petitioner's case is that the second respondent is proposing to form a new drainage in an area that has been allotted and earmarked as a park in the petition mentioned locality.

3,The learned Standing counsel categorically denies such allegation. According to him what has been constructed is only a retaining wall and there is no proposal to form any new drainage. According to the Corporation, the petitioner has encroached water



course by putting up a tin roofed car shed. Recording the said submission of the learned Standing Counsel that there is no proposal to form any drainage, the Writ Petition is closed. I make it clear that if according to the Corporation the petitioner had encroached upon any water course or any public space, it is always open to the local body to take action as per law for clearing the encroachment. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

tsg

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The District Collector,
Trichy.

2..The Local Planning Authority,
Tiruchirapalli.

W.P. (MD) .No.7208 of 2020
20.07.2020

KB(27.07.2020) 2P 3C