

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 21.04.2021

Coram

The Honourable Mr.Justice D.KRISHNAKUMAR

**W.P.No.1521 of 2017
and W.M.P.Nos.1426 & 1427 of 2017**

K.Subbaiyan

...Petitioner

Versus

- 1.The Secretary to Government,
Municipal Administration and Water Supply Department
Secretariat, Fort St.George,
Chennai - 600 009.
- 2.The Commissioner,
Coimbatore Corporation,
Town Hall Road,
Coimbatore - 641 001.
- 3.The Chief Engineer,
TWAD Board,
Barathi Park - Avinashilingam College Road,
Saibaba Colony,
Coimbatore - 641 011.

4.The Assistant Commissioner,
Coimbatore Corporation
North Zone,
Dr.Balasundram Road,
Opposite to Govt. Women's Polytechnic College,
Pappanaickanpalayam,
Coimbatore - 641 037.

5.The Executive Engineer
TWAD Board,
Avinashi Road
Coimbatore - 641 018.

6.The Executive Engineer,
TWAD Board (Rural Water Supply)
Annur, Coimbatore - 641 653.

7.The Assistant Engineer,
TWAD Board (Rural Water Supply)
Goundam Palayam,
Coimbatore - 641 030.

...Respondents

This Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 2 to 7 not to construct Water Supply Over Head Tank and other buildings in the area measuring 50 cents allotted for the purpose of Park and Playfield in the Marvel Parampariyam Residents area, Kalapatti Road, Saravanampatti, Coimbatore - 641 035 based upon our representations dated 06.07.2016 and provisions under the Tamil Nadu Parks, Play-Fields and Open Spaces (Preservation and Regulation) Act, 1959.

For Petitioner : Mr.K.V.Akshyaraj
For Respondent - 1 : Mr.D.Suryanarayanan,
Government Advocate
Respondents - 2 & 4 : Mr.K.Natarajan
Respondents - 3 & 5 to 7 : Mr.M.Arokiaraj

ORDER

The relief sought for in the present writ petition is to direct the respondents 2 to 7 not to construct Water Supply Over Head Tank and other buildings in the area measuring 50 cents allotted for the purpose of Park and Playfield in the Marvel Parampariyam Residents area, Kalapatti Road, Saravanampatti, Coimbatore - 641 035 based upon our representations dated 06.07.2016 and provisions under the Tamil Nadu Parks, Play-Fields and Open Spaces (Preservation and Regulation) Act, 1959.

2. The learned counsel appearing for the respondents 3 & 5 to 7 submitted that the sixth respondent filed the counter affidavit, wherein, he had stated that there is no proposal to construct any Service Reservoir at

Marvel Parampariyam site, as such alternate site suits all the requirements. He therefore prayed that this writ petition may be dismissed as infructuous since nothing survives in the same for adjudication.

3. In view of the submission made by the learned counsel appearing for the respondents 3 & 5 to 7, this Writ Petition is dismissed as infructuous by this Court. No costs. Consequently, connected Miscellaneous Petitions are closed.

21.04.2021

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Index : Yes/No

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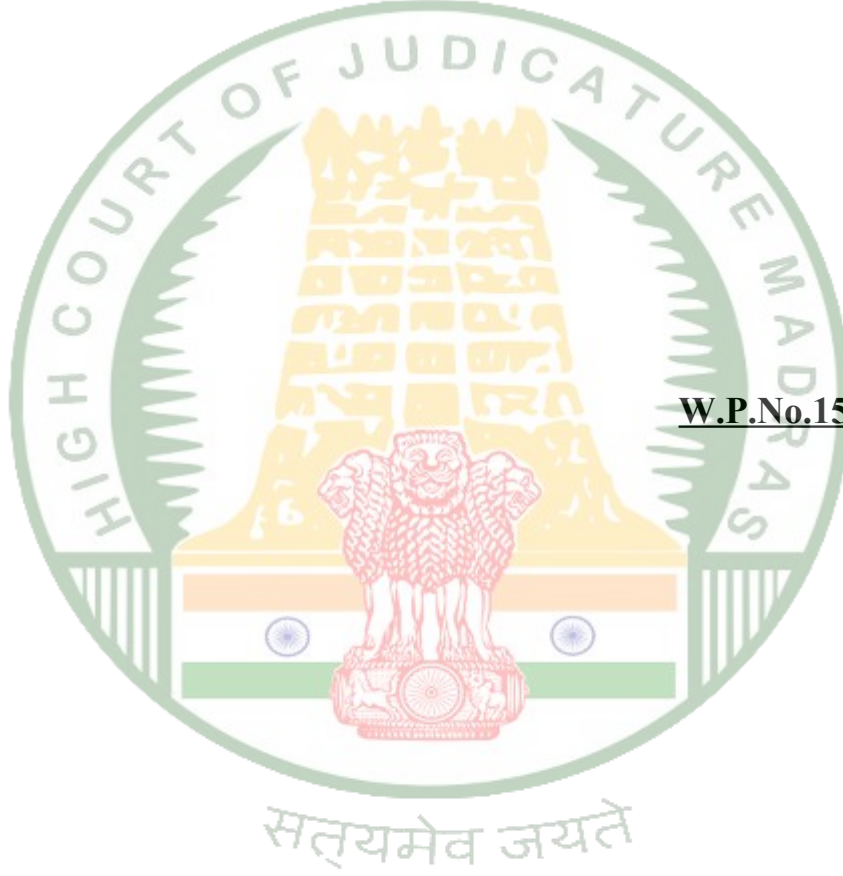
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