



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.06.2021

C O R A M

**THE HONOURABLE MR.JUSTICE P.D.AUDIKESSAVALU**

W.P. (MD) No.10033 of 2021

Sudhakar

... Petitioner

Vs.

1.The District Collector,  
Collectorate Building,  
Korampallam,  
Thoothukudi.

2.The Tahsildar,  
Taluk Office,  
Thoothukudi.

3.The Block Development Officer,  
Pudhukottai,  
Thoothukudi District.

...Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, forbearing the Respondents from establishing any park or carry-on any other development activities in the Petitioner's land in Grama Natham Survey No.75/2 (now classified as Grama Natham S.Nos.212/30, 212/31) at Chockalingapuram Kudiyiruppu, Muthusampuram Village, Thoothukudi Taluk, Thoothukudi District.

For Petitioner : Mr.S.Senthil Sankaranathakumar  
For Respondents : Mr.P.Thilak Kumar  
Counsel on behalf of  
Government of Tamil Nadu

**ORDER**

**(through video conference)**

Mr. P.Thilak Kumar, Learned Counsel appearing on behalf of the Government of Tamil Nadu, takes notice for the Respondents.

2. The Writ Petition has been filed seeking to prevent the Respondents from establishing any park or carry-on any other development activities in the Petitioner's land in Grama Natham Survey No.75/2 (now classified as Grama Natham S.Nos.212/30, 212/31) at Chockalingapuram Kudiyiruppu, Muthusampuram Village, Thoothukudi Taluk, Thoothukudi District.



3. Learned Counsel appearing for the Respondents, on instructions, states that the Respondents do not have any intention to establish park in the land of the Petitioner as claimed in the Writ Petition and he has also filed a memo dated 11.06.2021 in that regard, which reads as follows:-

"2. It is humbly submitted that when the writ petition came up for hearing on 11.06.2021, the third respondent's office bearers was appeared in person on 11.06.2021 and hand over the Proceedings in T4/2012/2019 dated 10.06.2021, in which it is stated that the Playground will be constructed in S.No.212/8-0.43.5 ares alone.

3. It is further submitted that there is no construction in the petitioner's S.Nos.212/30, 212/31 [Old S.No.75/2]."

Recording the same, nothing remains for further consideration in the Writ Petition. Though obvious, it is clarified that if any action is taken by the Respondents affecting the rights of the Petitioner in respect of the land claimed by him, he is not precluded from working out his remedies before the proper forum in the manner recognized by law.

4. In fine, the Writ Petition is disposed with the aforesaid observation. No costs.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Ns/SRM

**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,  
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Korampallam,  
Thoothukudi.

2.The Tahsildar,  
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Thoothukudi District.

+1 CC to M/s.S.SENTHIL SANKARA NATHA KUMAR, Advocate ( SR-19327[F]  
dated 15/06/2021 )

W.P. (MD) No.10033 of 2021  
11.06.2021

svn(CO)  
TR(28.06.2021) 3P 5C