

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 08.07.2022

Coram:

THE HONOURABLE MR.MUNISHWAR NATH BHANDARI, CHIEF JUSTICE
and
THE HONOURABLE MRS.JUSTICE N.MALA

W.P.No.17323 of 2022

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C.Gopi

.. Petitioner

Vs.

1. The District Collector,
Villupuram District,
Villupuram.
2. The Tahsildar,
Vikravandi Taluk,
Villupuram and District.
3. Mrs.Saraswathy
4. Sugumar
5. Sundaramoorthy
6. Nagarajan
7. Murugan
8. Velu
9. Palani
10. Ramesh

.. Respondents

Writ Petition (Public Interest Litigation) filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the first and second respondents to remove the encroachments made by the respondent Nos.3 to 10 in the play-ground, namely "Veerapandiya Kattabomman Play Ground" situated at Old S.No.224, New S.Nos.779/2, 779/4, 779/6, 779/13, nearing Old Vinayakar Temple, Ayyuragaram Madura Cinthamani Village, Vikkaravandi Taluk, Villupuram District.

For petitioner : M/s.R.Hemalatha

For respondents: Mr.J.Ravindran, Addl. Advocate General
assisted by Mr.A.Selvendran,
Spl.G.P. for RR-1 & 2

ORDER

(The Order of the Court was made by The Honourable Chief Justice)

The Writ Petition has been filed to seek a direction to the respondent Nos.1 and 2 to remove the encroachments made by the respondent Nos.3 to 10 in the play-ground, namely "Veerapandiya Kattabomman Play Ground" situated at Old S.No.224, New S.Nos.779/2, 779/4, 779/6 and 779/13, near Old Vinayakar Temple, Ayyuragaram Madura Cinthamani Village, Vikkaravandi Taluk, Villupuram District.

2. Learned counsel for the petitioner could not show the old S.No.224 to be a play-ground, though it is shown to be a Government Poramboke land, but in the absence of it being earmarked as play-ground, the prayer to restore the play-ground, cannot be accepted.

3. It is furthermore that a construction shown in the photographs, seems to be old in a small village and the learned counsel for the petitioner could not clarify as to when the construction was made, why he could not file a suit for injunction, which having not been filed, now, after a lapse of several years, the present Public Interest Litigation has been filed. The issue aforesaid remains un-answered by the petitioner.

4. Therefore, we do not find this Writ Petition to be a bona-fide Public Interest Litigation. Hence, the Writ Petition is dismissed. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS-IV)

// True Copy //

Sub Assistant Registrar

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To

1. The District Collector,
Villupuram District,
Villupuram.

2. The Tahsildar,
Vikravandi Taluk,
Villupuram and District.

+1cc to the Government Pleader, SR.No.44978, 45194

W.P.No.17323 of 2022

SKM(CO)
CB(18/07/2022)