



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 07.04.2022

Coram:

THE HONOURABLE MR.MUNISHWAR NATH BHANDARI, Chief Justice
and
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.32749 of 2018
and
W.M.P.No.37957 of 2018

V.Rajavel

Vs.

.. Petitioner

1. The District Collector,
Collectorate Officer,
Kancheepuram Taluk,
Kancheepuram District,
PIN-603 506.
2. The Tahsildhar Avl.,
Uthiramerur Taluk,
Uthiramerur Post,
Uthiramerur, Kancheepuram District
3. Block Development Officer,
Uthiramerur Taluk,
Uthiramerur Post,
Uthiramerur, Kancheepuram District.
4. The Assistant, Annathur Panchayat Office,
Sithnakavur Post,
Uthiramerur Taluk.
5. Village Administrative Officer,
Annathur Village,
Sithnakavur Post,
Uthiramerur, Kancheepuram District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents not to convert the play-ground into Panchayat Office in the middle of the play-ground or to any other purpose at S.No.169/8, Annathur Village, Sinthanakanur Post, Uthiramerur Taluk, Kancheepuram District.



WEB COPY

For petitioner : Mr.V.Raghupathi

For respondents: Mr.P.Muthukumar,

State Govt. Pleader for RR-1, 2 and 5

Mr.S.N.Parthasarathy for R-3

No appearance for R-4

ORDER

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

The Writ Petition is filed seeking to restrain the respondents from converting the playground into Panchayat Office.

2. Learned counsel for the petitioner submitted that, for the last 15 years, the land was set apart for playground and it was being used to the benefit of the children, but now a decision has been taken to use it for construction of Panchayat Office, ignoring the interest of the public at large.

3. Learned State Government Pleader appearing for the respondents 1, 2 and 5 and learned counsel appearing for the third respondent, opposed the petition and submitted that the land in question was never earmarked as playground, rather, it is a government poramboke land and discretion lies with the government to use it as per their requirement. Accordingly, the petitioner has no right to seek a restraint order as prayed for.

4. In view of the aforesaid submission made by learned State Government Pleader, we do not find any ground to accept this Public Interest Litigation (PIL), inasmuch as there is no compulsion in existence to use the land in question as playground and the land has not been earmarked as a playground.

5. Hence, the Writ Petition fails and the same is dismissed. No costs. Consequently, W.M.P. is closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

cs/mrn



To

1. The District Collector,
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PIN-603 506.
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Sithnakavur Post,
Uthiramerur Taluk.
5. The Village Administrative Officer,
Annathur Village,
Sithnakavur Post,
Uthiramerur,
Kancheepuram District.

+1 cc to Mr.V.Raghupathi, Advocate Sr.NO.24180
+1 cc to Mr.S.N.Parthasarathy, Advocate Sr.NO. 24459
+1 cc to Government Pleader Sr.NO. 24926

W.P.No.32749 of 2018

NMI (CO)
A.SK(20/04/2022)