



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. (MD)No.8058 of 2022

and

W.M.P. (MD) .No.6033 of 2022

WEB COPY

S.Michael

... Petitioner

Vs.

1.The District Collector,
Karur District, Collectorate,
Thanthonimalai,
Karur.

2.The Assistant Director of Town Panchayats,
District Collectorate,
Dindigul.

3.The Executive Officer,
Aravakurichi Town Panchayat,
Chinnadharapuram Road, Aravakurichi Taluk,
Karur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, forbearing the respondents from laying any road in the existing Park admeasuring 14400 Square Feet situated at Bawa Nagar, in Survey Nos.829, 830 and 834 of Aravakurichi Village, Aravakurichi Taluk, Karur District, on the basis of the petitioner's representation dated 27.11.2021 and directing the respondents to maintain the Park as per the provisions of Tamil Nadu Parks, Play-Fields and Open Spaces (Preservation and Regulation) Act, 1959.

For Petitioner	: Mr.K.Suresh
For R-1 & R-2	: Mr.B.Saravanan, Additional Government Pleader
For R-3	: Mr.A.Sivanupandian Government Advocate

O R D E R

This writ petition has been filed for a Mandamus seeking to forbear the respondents from laying any road in the existing Park admeasuring 14400 Square Feet situated at Bawa Nagar, in Survey Nos.829, 830 and 834 of Aravakurichi Village, Aravakurichi Taluk, Karur District, on the basis of the petitioner's representation dated 27.11.2021 and directing the respondents to maintain the Park as per the provisions of Tamil Nadu Parks, Play-Fields and Open Spaces (Preservation and Regulation) Act, 1959.



2.Heard Mr.K.Suresh, learned counsel appearing for the petitioner, Mr.B.Saravanan, learned Additional Government Pleader, who accepts notice on behalf of the respondents 1 and 2 and Mr.A.Sivanupandian, learned Government Advocate, who accepts notice on behalf of the 3rd respondent.

WEB COPY

3.The learned Government Advocate, appearing for the third respondent on instructions, would submit that there is no proposal by the third respondent to convert the park into a road as alleged by the writ petitioner. The said statement is recorded.

4.Since an undertaking has been given by the third respondent through the learned Government Advocate that there is no proposal to convert the park, which is the subject matter of the writ petition, into a road, no further orders are required to be passed by this Court.

5.In terms of the undertaking given by the third respondent through the learned Government Advocate, this writ petition is disposed of. If the petitioner is aggrieved by the non maintenance of the park by the official respondents, he is given liberty to redress his grievance in the manner known to him under law. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TM

To

- 1.The District Collector,
Karur District, Collectorate,
Thanthonimalai, Karur.
 - 2.The Assistant Director of Town Panchayats,
District Collectorate, Dindigul.
 - 3.The Executive Officer,
Aravakurichi Town Panchayat,
Chinnadharapuram Road, Aravakurichi Taluk,
Karur District.
- +1 CC to M/s.SPL.GP. (SR-21911[F] dated 27/04/2022)
+1 CC to M/s.K. SURESH, Advocate (SR-21136[F] dated 26/04/2022)

W.P. (MD)No.8058 of 2022

26.04.2022

MK/16.05.2022/2P/6C