



W.P(MD)No.12348 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 11.07.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.12348 of 2022

and

W.M.P.(MD)No.8776 of 2022

K.R.A.Veerappan

... Petitioner

Vs.

1.The District Collector,
Collectorate – Pudukkottai District,
Pudukkottai.

2.The Municipal Commissioner,
Office of Pudukkottai Municipality,
Pudukkottai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to forbear the respondents from interfering with the maintenance rights of the petitioner for the Park in T.S.No.5882/7 of Pudukkottai Town, Sathyamoorthy Road, near New Bus Stand of Pudukkottai, Pudukkotai in pursuance of Resolution No.10/2003 passed by the Municipal Council of Pudukkottai on 29.04.2003.



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For Petitioner : Mr.K.Baalasundharam

For Respondents : Mr.P.Mahendran for R1.
Mr.M.Prakash,
Addl. Government Pleader for R2.

ORDER

Heard the learned counsel on either side.

2.The petitioner is a senior citizen. He had been maintaining the petition mentioned park by deploying his own funds for all these years. While the petitioner deserves to be appreciated for the same, the petitioner cannot claim any proprietary right. It is well settled that whatever area which has been earmarked for public purposes such as park will have to be maintained by the local body. In this case, the local body might have initially permitted the petitioner to maintain the park but then the petitioner has no right over the park as such. I do not find any ground to interfere with the impugned order and the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

11.07.2022

Index : Yes / No
Internet : Yes/ No
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To:

The District Collector,
Collectorate – Pudukkottai District,
Pudukkottai.



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G.R.SWAMINATHAN, J.

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