



WP No.1447 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.11.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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1.R.Sellathal
2.B.Shanthi
3.Krishnamoorthy
4.R.Venkatachalam
5.K.A.Sathiskumar
6.Dhakshinaa

: Petitioners

versus

1.The Commissioner
Coimbatore City Municipal Corporation
Coimbatore

2.The District Collector
Coimbatore District

3.The Tahsildar
Coimbatore South Taluk, Coimbatore

4.The Director/Commissioner
Directorate of Town and Country Planning
807, Anna Salai, Chennai 2

5.The Deputy Director of Town & Country Planning
Coimbatore Region, Dr.Nanjappa Road
Corporation Shopping Complex
Coimbatore 641 018

: Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus forbearing the respondents from constructing the Micro Composing Centre in the land reserved for park in the approved layout plan of Sivaram Nagar in LP/R (CN) NO.212/83 Sivaram Nagar South Enclave in LP/DTP No.1284/92 Sivaram Nagar West Extension II in LP/DTP. No.1137/95 and Sivaram Nagar in LP/DTP No.131/2004.

For the Petitioner : Mr.M.Sivavarthan
For Respondent No.1 : Mr.K.Magesh
For Respondents 2 to 5 : Mr.T.K.Saravanan,
Government Advocate

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.M.Sivavarthan, learned counsel for the petitioner, Mr.K.Magesh, learned counsel for the first respondent and Mr.T.K.Saravanan, learned Government Advocate, for respondents 2 to 5.

2. It is submitted that after the filing of the writ petition, no construction of Micro Composing Centre has been made in the land reserved for park on the subject writ land.

3. The Commissioner, Coimbatore City Municipal Corporation, has filed an affidavit. The officials of the Corporation visited the park



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on 10.12.2018. The Unit of micro compost yard is put up only in a small portion of the public place and the same cannot be treated against the public interest. The park is maintained by the Corporation. The Corporation is not altering the usage of park and reserved site, and is maintaining the same as such.

4. In light of above, the writ petition stands disposed of. There will be no order as to costs. Consequently, WMP No.1597 of 2019 is closed.

(S.V.G., CJ.)

(D.B.C., J.)

09.11.2023

Index : Yes/No
Neutral Citation : Yes/No
tar

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