



WP No.15202 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.08.2023

CORAM

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

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKEVALU

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K.S. Jaikumar

: Petitioner

versus

1.The District Collector
Chennai

2.The Revenue Divisional Officer
Egmore Revenue Division, Chennai - 31

3.The Tahsildar
Velachery, Chennai – 42

4.The Commissioner,
Greater Chennai Corporation,
Ripon Buildings, Chennai 3

(R-4 impleaded vide order dated 10.8.2023) : Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to the order passed by the 2nd respondent in Appeal in Reference No.A2/1368/2017 dated 06.03.2018 and quash the same and to retain the play ground as such and also direct the 3rd respondent not to construct any building further in the playground at 105 Gandhi Salai, Velachery, Chennai 42.



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For the Petitioner : Ms.S.Lakshmi
For Respondents 1 to 3 : Mr.P.Muthukumar,
State Government Pleader
For 4th respondent : Mr.A.Arun Babu

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Ms.S.Lakshmi, learned counsel for the petitioner, Mr.P.Muthukumar, learned State Government Pleader, for respondents 1 to 3 and Mr.A.Arun Babu, for the fourth respondent.

2. The learned counsel for the petitioner submits that the subject writ land is a playground. Since beginning, the said ground was used for playing by all the persons, and even the petitioner used to play football on the said ground. That apart, tournaments were also conducted.

3. Mr.P.Muthukumar, learned State Government Pleader, submits that by order dated 06.03.2018, the Revenue Divisional Officer, Egmore Division, had observed that the said land is classified as 'Circar Poromboke-Gramanatham'. The said land was not assigned or alienated to any one for using as a playground or for any other purpose. The same was being used as a playground



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when it was kept vacant. The construction of taluk office building is being done for public purpose. The said building is also completed on an area of 1823.5 sq.m., and is functioning.

4. Unless it is demonstrated that the subject writ land was reserved in developmental plan for playground, it cannot be said that the land cannot be used for any other purpose.

5. In light of that, the writ petition stands disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)

24.08.2023

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

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THE HON'BLE CHIEF JUSTICE
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