



W.P.No.19752 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.07.2023

CORAM :

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

AND

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

W.P.No.19752 of 2023

M.Yacoob

.. Petitioner

Vs

1.The District Collector,
The Collectorate Office,
Chengalpattu.

2.The Revenue Divisional Officer,
The Revenue Divisional Office,
Tambaram.

3.The Tahsildar,
Taluk Office,
Tambaram.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents particularly first respondent to allocate land and construct a play ground, library and water tank in the area comprised in S.Nos.308/1. 3083. 309/1 309/3 situated at Chengalpattu District, Tambaram Taluk, 50th Ward, Kadapperi Village within the limits of



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Tambaram Corporation based on the resolution vide No.1044 dated 30.12.2022 passed in the Council meeting of Tambaram Corporation by considering the representation dated 15.02.2023.

For the Petitioner : Mr.G.Mohammed Aseef

For the Respondents : Mr.P.Muthukumar
State Government Pleader
assisted by
Mrs.R.Anitha
Spl. Government Pleader

ORDER

(Order of the court was made by the Hon'ble Chief Justice)

We have heard Mr.G.Mohammed Aseef, learned counsel for the petitioner and Mr.P.Muthukumar, learned State Government Pleader, assisted by Mrs.R.Anitha, learned Special Government Pleader for the respondents.

2. Learned counsel for the petitioner submits that the petitioner is the Councilor of Tambaram Corporation. On 30.12.2022, a resolution bearing No.1044 was passed by the Corporation, wherein it was unanimously resolved to send an order



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to the Revenue Department to provide the remaining 65.5 cents of the land for the use of Corporation excluding the land already allotted to the Police Department. In fact, the said land was encroached. The encroachment has been removed. The Municipal Corporation has the laudable object of constructing a playground, library, water tank for the benefit of the general public and has forwarded the resolution to the Government and the same is not attended to.

3. The Tambaram Municipal Corporation is not the owner of the land. The owner of the land appears to be the Government. It is for the Government to allot the land to the Corporation or otherwise. Moreover, the land can be used as has been reserved in the development plan. The petitioner as a Councilor may with the aid of the Corporation prosecute the resolution forwarded to the Government with the Government authority. The Government authority may take a decision on the same expeditiously on its own merits.



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4. With the above observation, the writ petition stands disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)

04.07.2023

Index : Yes/No
Neutral Citation : Yes/No
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