



W.P.No.30744 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.10.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.30744 of 2023

Karthikeyan

.. Petitioner

Vs.

1. The District Collector
Coimbatore District Collector Office
Coimbatore – 18.

2. The Commissioner of Corporation
Coimbatore Corporation
Coimbatore – 641 001.

3. The Joint Registrar of Co-operative Societies
Arokiya Sami Salai
K.K.Pudur, Coimbatore – 38.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the respondents not to construct the new fair price shop inside the park situated in 40th ward, Veerakeralam Revenue Village, Perur Vattam, Anandham Nagar in Survey No.731 A and consequently thereby direct the 2nd respondent to consider the petitioner representation dated 17.08.2023 in accordance with law.



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For the Petitioner : Mr.S.Senthilvel

For the Respondents : Mr.T.K.Saravanan
Government Advocate
for R1 & R3

Mr.K.M.D.Muhilan
for R2

ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.S.Senthilvel, learned counsel for the petitioner,
Mr.T.K.Saravanan, learned Government Advocate for respondents 1
and 3 and Mr.K.M.D.Muhilan, learned counsel for respondent 2.

2. Learned counsel for the petitioner submits that the Corporation is illegally constructing a Fair Price Shop in the land earmarked for the park. According to the learned counsel, the area of the park cannot be used for such purpose.

3. According to learned counsel for the Corporation, 90% of the work in the Fair Price Shop is completed and the said area is not earmarked as a park.



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4. It appears that, in the said subject property, even a Temple and other structures stand. However, the petitioner is not seeking any relief against the same. In a public interest litigation, the petitioner cannot be selective.

5. Considering the submissions of the learned counsel for the Corporation, no further relief can be granted. Accordingly, the writ petition stands disposed of. There will be no order as to costs. Consequently, W.M.P.No.30389 of 2023 is closed.

(S.V.G., CJ.)

(D.B.C., J.)

31.10.2023

Index : Yes/No
Neutral Citation : Yes/No
drm

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THE HON'BLE CHIEF JUSTICE
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(drm)

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