



W.P.No.5798 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

**W.P.No.5798 of 2019**  
**and W.M.P.No.6631 of 2019**

P.Kannan

... Petitioner

-Vs-

1. The District Collector,  
District Collectorate,  
Coimbatore District,  
Coimbatore 641 018.

2. Coimbatore City Municipal Corporation,  
Rep. by its Commissioner,  
Coimbatore 641 001.

... Respondents

**Prayer :** Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing respondents 1 and 2 to preserve the unnumbered plot earmarked as park in the approved layout of Kunisai Ilangovan Nagar (DTCP approval No.241/98) bounded on the North by Plot No. Anna Colony, South by Plot Nos.17 to 20 of Kunisai Ilangovan Nagar, East by 30 feet layout road and West by Sivasakthi Colony, maintain status quo and refrain from using the same in any other manner including by putting up a waste treatment plant and / or using it for garbage dumping.

For Petitioner : Mr.P.K.Rajagopal



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For R1 : Mr.V.Manoharan  
Additional Government Pleader  
For R2 : Mr.N.Umapathi  
Standing Counsel  
**ORDER**

This writ petition has been filed for direction directing respondents 1 and 2 to preserve the unnumbered plot earmarked as park in the approved layout of Kunisai Ilangovan Nagar (DTCP approval No.241/98) bounded on the North by Plot No. Anna Colony, South by Plot Nos.17 to 20 of Kunisai Ilangovan Nagar, East by 30 feet layout road and West by Sivasakthi Colony, maintain status quo and refrain from using the same in any other manner including by putting up a waste treatment plant and / or using it for garbage dumping.

2. Heard both sides and perused the materials available on record.

3. It is seen that in this regard, the petitioner submitted a representation before the respondents. After a period of five years, the representation submitted by the petitioner cannot be considered now.

4. The petitioner is at liberty to submit a fresh representation before the second respondent on fresh cause of action. On receipt of the same, the second



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respondent is directed to consider the same and pass orders on merits and in accordance with law.

5. With the above directions, this writ petition is disposed of. Consequently, connected Miscellaneous petition is closed. There shall be no order as to costs.

09.09.2024

Internet: Yes  
Index : Yes/No  
Speaking/Non Speaking order  
Neutral Citation : Yes/No  
mn

**G.K.ILANTHIRAIYAN. J.**

mn

To



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2. The Commissioner,  
Coimbatore City Municipal Corporation,  
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