



WEB COPY



W.P.No.18107 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.10.2024

CORAM:

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

W.P.No.18107 of 2019 and
WMP.No.17480 of 2019

N.Elumulai

... Petitioner

Vs.

- 1.The Union Territory of Puducherry,
Represented by its Secretary,
Local Administration Department,
Goubert Avenue, Beach Road,
White Town, Puducherry 605 001
- 2.The Secretary,
Town and Country Planning Department
Goubert Avenue, Beach Road,
White Town, Puducherry 605 001
- 3.The Commissioner,
Oulgaret Municipality Office,
Boomiyanpet, Jawahar Nagar Main Road,
Puducherry 605 005
- 4.The Tahsildar,
Oulgaret Tahsildar Office,
Selva Vinayagar Koil St,
Pakkamudayanpet, Lawspet,
Puducherry 605 008
- 5.Kurinji Nagar Kudirupor Nalavalvu Sangam,
Represented by its President,
9th Cross Street, Kurinji Nagar,
Lawspet, Puducherry 605 008

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of



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India praying to issue Writ of Mandamus directing the third respondent to pass orders on the petitioner's representation dated 06.06.2018 and reminder dated 25.01.2019 by taking possession and control over the Community Hall and Auditorium constructed by Municipality in the land earmarked as Public Purpose vide Layout Approval no.711/LO/PPA/84 dated 26.10.1984 and comprised in survey nos.1,2,19,20,21,24,&25 of Saram Village, Oulgaret Taluk, Puducherry District, within the time frame to be fixed by this Court.

For Petitioner : Mr.Sai Srujan Tayi
for M/s.Giridhar and Sai

For Respondents
For R1 to 4 : Mr.Ramasamy Meyappan
Government Advocate(Pondy)

For R5 : Mr.Karunakaran

ORDER

This writ petition has been filed for direction to the third respondent to pass orders on the petitioner's representation dated 06.06.2018 and reminder dated 25.01.2019 by taking possession and control over the Community Hall and Auditorium constructed by Municipality in the land earmarked as Public Purpose vide Layout



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Approval no.711/LO/PPA/84 dated 26.10.1984 and comprised in survey nos.1, 2, 19, 20, 21, 24, & 25 of Saram Village, Oulgaret Taluk, Puducherry District, within the time frame to be fixed by this Court.

2. The petitioner is being a member of the fifth respondent association, making complaint as against the fifth respondent. The third respondent is not taking action as against the fifth respondent for not accounting money which derived from the community hall and auditorium constructed by the municipality.

3. Admittedly the municipality had constructed community hall and auditorium and handed over to the fifth respondent which is an association of the residents. The fifth respondent is being association letting out community hall as well as the auditorium for third party and collecting rents. There is dispute between the petitioner and the fifth respondent in respect of accounts. The learned counsel for the petitioner further contended that the fifth respondent is an unregistered association.

4. In view of the above, the representation submitted by the



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petitioner cannot be considered by the official respondents. As such, this writ petition is devoid of merits and the same is liable to be dismissed. Accordingly, this writ petition is dismissed. However, petitioner is at liberty to approach appropriate forum for appropriate relief as against the fifth respondent in the manner known to law, if so advised. Further, if the fifth respondent is not registered so far, the petitioner is at liberty to approach the authority concerned for non registration of the association. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

30.10.2024

Neutral citation: Yes/No
Index: Yes/No
Speaking/Non-speaking order
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To

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2. The Secretary,

Town and Country Planning Department
Goubert Avenue, Beach Road,
White Town, Puducherry 605 001

3. The Commissioner,

Oulgaret Municipality Office,
Boomianpet, Jawahar Nagar Main Road,
Puducherry 605 005

4. The Tahsildar,

Oulgaret Tahsildar Office,
Selva Vinayagar Koil St,
Pakkamudayanpet, Lawspet,
Puducherry 605 008

5. President,

Kurinji Nagar Kudirupor Nalavalvu Sangam,
9th Cross Street, Kurinji Nagar,
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