



W.P.No.23504 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.10.2024

CORAM:

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

W.P.No.23504 of 2021 and
WMP.No.24740 of 2021

R.Vimalraj

... Petitioner

Vs.

- 1.The District Collector,
Office of the Collectorate,
Kallakurichi District
- 2.The Assistant Director,
Town and Country Planning,
Villupuram Zone,
Villupuram District
- 3.The Project Director,
Office of the Collectorate,
Kallakurichi District
- 4.The Commissioner/Block Development Officer,
Block Development Office,
Chinna Salem Block,
Kallakurichi District
- 5.The Village Panchayat Secretary,
Nainarpalyam Village & Panchayat,
Chinna Salem Block,
Kallakurichi District
- 6.The Assistant Engineer,
Chinna Salem Panchayat Union,
Kallakurichi Sub-Division,
Kallakurichi District

... Respondents



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PRAYER:

Writ Petition is filed under Article 226 of Constitution of India praying to issue Writ of Mandamus directing the fourth and fifth respondents to restore the plan approved by the second respondent in the survey no.298/13 situated at Vijay Nagar Park, at Nainarpalayam Village as 'Park' and develop the same for Public Purpose.

For Petitioner : Mr.M.Jothikumar

For Respondents : Mr.V.Manoharan,
Additional Government Pleader

ORDER

This writ petition has been filed for direction to the respondents 4 and 5 to restore the plan approved by the second respondent for the land comprised in survey No.298/13 situated at Vinay Nagar Park, Nainarpalayam Village as park and develop the same for public purpose.

2. Heard, the learned counsel appearing on either side.



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3. It is seen that originally the petitioner developed the land admeasuring 2,08,216.80 sq.ft into 134 house plots. As per the layout, 6,217 sq.ft. was earmarked for park. In the said area, the respondents 4 and 5 are now digging up a well. Therefore, construction put up by the purchasers has started cracking. Therefore, the petitioner submitted representation to restore the subject land to its original position as park and also to direct to develop the same as park.

4. On instruction, the learned Additional Government Pleader appearing for the respondents submitted that the fourth and fifth respondents have stopped the project of digging up a well in the subject property.

5. Recording the above submission, respondents 4 and 5 are directed to develop the subject land as park within a period of twelve weeks from the date of receipt of copy of this order.



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6. With the above direction, this writ petition is disposed of.
Consequently, connected miscellaneous petition is closed. There shall be
no order as to costs.

21.10.2024

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