



W.P.No.26864 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.02.2024

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.26864 of 2021

K.Usha

.. Petitioner

VS

- 1.The District Collector,
Collectorate,
Ooty – 643 001
The Nilgiris
- 2.The Chief Educational Officer,
Kathadimattam, Nilgiris,
Ooty – 643 001
The Nilgiris.
- 3.The Headmaster,
Government Higher Secondary School
Charing Cross, St. Marys Hill,
Ooty – 643 001
The Nilgiris.
- 4.The Municipal Commissioner,
Ootacamund Municipality,
Hospital Road, Upper Bazaar,
Ooty – 643 001
The Nilgiris.



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5.Sri Shanthi Vijay School,
through its Headmistress,
Udhagamandalam,
The Nilgiris.

.. Respondents

[Respondent No.5 suo motu impleaded vide
order dated 16.12.2021]

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of declaration declaring that the playground admeasuring 2.45 1/8 acres of land in Survey No.1979 at Ooty is to be meant only for sports related activities to be used only by the children of Government Higher Secondary School, Ooty and Shanthi Vijay Girls' Higher Secondary School, Ooty as per the arrangement made by the first respondent in its proceedings in Rc.U3.65567/2001 dated 24.12.2001.

For the Petitioner	: Mr.Karthik Ranganathan
For the Respondents	: Mr.K.Karthik Jagannath Government Advocate for respondent Nos.1 to 3
	: Mr.P.Srinivas for respondent No.4
	: Mr.S.Varsha for respondent No.5



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ORDER

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

Heard Mr.Karthik Ranganathan, learned counsel for the petitioner; Mr.K.Karthik Jagannath, learned Government Advocate for respondents 1 to 3; Mr.P.Srinivas, learned counsel for respondent No.4; and, Mr.S.Varsha, learned counsel for respondent No.5.

2. It appears that, subsequently, the order dated 24.12.2001 granting permission to the students of Sri Shanthi Vijay Girls' Higher Secondary School is withdrawn under the order dated 20.12.2021.

3. This Court, while passing the interim order, had only expressed its doubt, but has not passed a final order. It will be for the Sri Shanthi Vijay Girls' Higher Secondary School to take steps as against the order dated 20.12.2021 withdrawing the permission granted on 24.12.2001. In that event, all contentions



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are kept open.

4. The writ petition, accordingly, stands disposed of. There shall be no order as to costs. Consequently, W.M.P.No.28318 of 2021 is closed.

(S.V.G., CJ.)

(D.B.C., J.)

22.02.2024

Index : Yes/No
Neutral Citation : Yes/No
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To

- 1.The District Collector,
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The Nilgiris
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Ooty – 643 001, The Nilgiris.
- 3.The Headmaster,
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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY,J.

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