



W.P.No.21205 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.08.2025

CORAM :

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

W.P.No.21205 of 2025

&

W.M.P.Nos.23948 & 23949 of 2025

S.Sarath Kumar

.. Petitioner

Vs.

1. The District Collector
O/o. The District Collector
Tiruvallur 602 001.
2. The State of Tamil Nadu
rep. by Director of Planning/Joint Director
District Rural Development Authority
O/o. The District Collector
Tiruvallur 602 001.
3. The Block Development Officer (Panchayats)
Kadambathur Panchayat Union
Tiruvallur District 631 203.
4. The Chief Educational Officer
O/o. The Chief Educational Officer
Tiruvallur 602 001.



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5. The Headmaster
Government Boys Higher Secondary School
Perambakkam Panchayat
Tiruvallur 631 203.

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking a writ of Certiorarified Mandamus to call for the records pertaining to the proceedings bearing No. Na.Ka.No.06/2024/A2 dated 30.5.2025 on the file of the 3rd respondent, quash the same and to consequentially forbear the 3rd respondent or his agents, etc. from carrying out any construction related activities, in the playground of the Govt. Boys Higher Secondary School, Perambakkam, which lies in Perambakkam Village, Tiruvallur Taluk and District and to restore the school playground back to its original position/condition for the sake of 1500 students' welfare.

For Petitioner : Mr.R.Selvakumar

For Respondents : Mr.A.Edwin Prabakar,
State Government Pleader
Assisted by
Mr.M.Habeeb Rahman
Government Advocate

ORDER

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

This public interest litigation has been filed seeking issuance of direction for removal of the health centre/hospital which is being



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developed by respondents.

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2. The main ground of challenge to the development of health centre is that it is being established on a part of land which is reserved for playground of boys and girls school.

3. Though present case is styled as public interest litigation, it is a petition against public interest as well. Thus, public interest versus public interest is an issue raised in this petition.

4. We find that reply affidavit of the respondents discloses that the existing hospital building was dilapidated and that it was otherwise constructed on a waterbody. Therefore, it was decided to search for any other piece of land. Thereafter, a small piece and parcel of government land, admeasuring 26 cents; on the side of the school playground, has been chosen for construction of health centre.

5. Learned State counsel would submit that even now 3.22



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acres of land stands reserved for playground, which is far more than the standard requirements of having at least two acres of land for school playground in rural areas.

6. We do not find that the present petition seeks to espouse public interest. Petitioner's anxiety is only because a small portion of land adjacent to the playground has been identified for construction of health centre. But for the fact that the remaining area is still available for being used as playground and is far more than the land required under the standard norms, we would have certainly interfered with.

7. On facts of the case, considering that the health centre is also as much required as the need of having land for school purpose, we are not inclined to interfere with the impugned order.

8. Other submission of learned counsel for petitioner that respondents ought to have identified other vacant land is not available to be raised before this Court. Which land is suitable for



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raising a health centre is essentially a matter of consideration for the authorities and not for the Court, much less to be guided by what petitioner dictates.

9. We also place on record the statement of learned State counsel that compound wall separating the school playground from the hospital shall also be erected to ensure that there is no movement from the school side to health centre and vice versa.

10. Petition is accordingly closed. There shall be no order as to costs. Consequently, the interim application is also closed.

(MANINDRA MOHAN SHRIVASTAVA, CJ) (SUNDER MOHAN,J)
14.08.2025

Index : Yes/No
Neutral Citation : Yes/No

kpl



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THE HON'BLE CHIEF JUSTICE
AND
SUNDER MOHAN,J.

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