



W.P.(MD) Nos.2592 of 2023 & 1081 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.06.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

**W.P.(MD) Nos.2592 of 2023 & 1081 of 2024
and
W.M.P.(MD) No.1110 of 2024**

W.P.(MD) No.2592 of 2023:

K.Chandrasekar

... Petitioner

-VS-

1.The Secretary
Municipality and
Water Supply Department
Government of Tamil Nadu
Secretariat, Chennai

2.The Secretary
Finance Department
Government of Tamil Nadu
Secretariat, Chennai

3.The District Collector
Trichy District

4.The Commissioner
Trichy Corporation
Trichy District

... Respondents

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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus to direct the respondents 1 to 4 to take necessary action to restore the green park with necessary facilities based on the petitioner's representation dated 02.01.2023.

For Petitioner : Mr.M.Viji

For Respondents : Mr.P.Thilakkumar
Government Pleader for R1 to R3
Mr.R.Baskaran
Additional Advocate General
assisted by M/s.R.B.Law Associates for R4

W.P.(MD) No.1081 of 2024:

K.Chandrasekar

... Petitioner

-vs-

1.The Secretary
Municipality and
Water Supply Department
Government of Tamil Nadu
Secretariat, Chennai

2.The Secretary
Finance Department
Government of Tamil Nadu
Secretariat, Chennai

3.The District Collector
Collector Office
Trichy District



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4.The Commissioner
Trichy Corporation
Trichy District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 to 4 to take necessary to do not try to cut or demolish 1432 number of trees which was planted 10 years ago in green park and also to stop the proposal of demolishing the public green park and changing as vegetable whole sale market which was already existing with all kind of facilities in Kallikudi, near Panjapoor new bus stand Trichy based on the petitioner's representation dated 23.10.2023.

For Petitioner : Mr.M.Viji
for Mr.M.Prabhakaran

For Respondents : Mr.P.Thilakkumar
Government Pleader for R1 to R3
Mr.R.Baskaran
Additional Advocate General
assisted by M/s.R.B.Law Associates for R4

COMMON ORDER

[Order of the Court was made by S.M.SUBRAMANIAM, J.]

The *lis* on hand has been instituted seeking a direction to the respondents to take necessary action to restore the Green Park with all necessary facilities and not to cut the trees, which were planted 10 years ago



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in the Green Park and to stop the proposal of demolishing the public Green Park and changing the same as a Vegetable Wholesale Market, which is already existing with all kinds of facilities, in Kallikudi, near Panjapoor new Busstand, Trichy, based on the petitioner's representations.

2. The petitioner states that he is a senior citizen and residing in Edamalaipatti Puthoor Village, Trichy District. Trichirappalli Corporation developed a Green Park by collecting huge money from the public. The people in that locality also contributed for developing the Green Park. A decision has been taken to convert the Green Park as the commercial area to establish a wholesale market. Thus, the present writ petitions came to be instituted.

3. Learned Additional Advocate General appearing for the respondent – Corporation would submit that 22.10 Acres of land was originally earmarked for establishing the Green Park. On account of heavy traffic congestion and inadequate space in the Gandhi Market, an administrative decision was taken to shift the market to the area measuring about 11.68 Acres out of 22.10 Acres in Panjapoor Village, Trichy District. A proposal was submitted to the authorities concerned for shifting the shops



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that are presently available in the Gandhi Market, which has been causing traffic congestion and inconvenience to the people in that locality.

4. Learned Additional Advocate General would further contend that there is no proposal to take over the entire Green Park area. Out of 22.10 Acres of land, 11.68 Acres of land alone is earmarked for developing the wholesale market. 100 trees have already been removed in 05 Acres of land and the same were also replanted suitably in the nearby places and highways and 197 trees are yet to be removed. Remaining 11 Acres of land is kept as the park and there is no proposal to shift the Green Park area from that location. 11 Acres of land is to be developed for the benefit of the people residing in that locality to use the same as a Green Park.

5. Learned Additional Advocate General would further contend that as per the orders of the Green Tribunal in O.A.No.681 of 2018, dated 08.10.2018, Tiruchirappalli was identified as the “Non-Attainment City in terms of the air pollution and the Air Quality Monitoring Committee *vide* G.O. (D) No.96, dated 14.06.2021, issued by the Environment, Climate Change and Forest (EC2) Department, is constantly monitoring the air pollution in the



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vicinity. Further, the allegations raised by the petitioner in the present writ petitions are incorrect and there is no proposal to take over the entire Green Park area and a portion of the park alone is proposed to be utilized as a wholesale market in the public interest. The proposed market is located in a strategic vantage point, where the Tiruchirappalli Ring Road connects with the Chennai bye-pass road, thereby making it easy and accessible for the transporters. Since the proposed market is located on the highways, the same will reduce traffic congestion and vehicular movement. Further, the Corporation is in the process of constructing a Heavy Vehicle Terminal opposite to the proposed market.

6. Learned Additional Advocate General would further contend that there is no proposal to cut down the trees in the Green Park. However, the trees cut down were replanted in the nearby vicinity and in the highways. Thus, the trees are not destroyed but replanted. There is no need for the respondents to cut down all the trees, since vacant space is available to replant the trees and more so, a portion of the park area alone has been utilised for developing the wholesale market and the remaining area of about 11 Acres is kept as the park for the benefit of the people of that locality.



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7. In view of the above submissions of the learned Additional Advocate General, this Court is of the considered view that no further consideration is required in respect of the grounds raised by the petitioner. However, the respondents are directed to maintain the Green Park as per the their contentions in the remaining extent of 11 Acres of land and all necessary facilities are to be provided in the park for the benefit of the people. Since the money collected from the public had been utilized for developing the Green Park, it is the bounden duty of Trichirappalli Corporation as well as the competent authorities of the Government to ensure that the park is maintained with all necessary facilities for the benefit of the people of that locality and to protect the environmental aspects in that locality.

8. At this juncture, learned Additional Advocate General submitted that originally, the proposal was submitted to establish a wholesale market, since antisocial activities were going on in the Green Park.

9. This Court is of the opinion that such a submission cannot be considered, since it is the duty mandated on the part of the State Government



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to prevent such antisocial activities in the public areas. The Green Park must be protected in all respects and the District Administration is directed to ensure adequate protection to the people, who are all visiting the Green Park and necessary security arrangements are made in the public interest. It is needless to state that the park must be opened as expeditiously as possible for the benefit of the people of that locality.

10. With the above directions, these writ petitions are disposed of.

No costs. Consequently, connected miscellaneous petition is closed.

[S.M.S., J.]

[A.D.M.C., J.]

10.06.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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To:

1.The Secretary,
Municipality and
Water Supply Department,
Government of Tamil Nadu,
Secretariat, Chennai.



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and
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and
W.M.P.(MD) No.1110 of 2024

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