



W.P.No.41626 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2026

CORAM :

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

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Shanmugasundaram,
S/o.Mani,
172, Charan Nagar,
Ellis Nagar Post,
Dharapuram Taluk,
Tiruppur District.

.. Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep. by its Secretary to Government,
Urban Infrastructure Development,
Project Sanctioning and Monitoring Committee,
Secretariat, Chennai - 9.
- 2.The District Collector,
Tiruppur District.
- 3.The Commissioner,
Dharapuram Municipality,
Dharapuram, Tiruppur District.
- 4.The Chairman,
Dharapuram Municipality,
Dharapuram, Tiruppur District.



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5.The Thasildar,
Dharapuram, Tiruppur District.

6.The Head Master,
NCP Higher Secondary School,
Dharapuram, Tiruppur District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of Certiorarified Mandamus calling for the entire record of 4th respondent resolution dated 29.08.2025 to quash the resolution No.1938 that construction of Knowledge Centre (NCP School) at Ward No.6, Survey No.1, Dharapuram Municipality and directing the 4th respondent to select some other government land.

For Petitioner(s) : Mr.Naveen Kumar Murthi
for Mr.K.Sudhakar

For Respondent(s) : Mr.E.Vijay Anand
Additional Government Pleader
for R1, R2 & R5
Mr.T.K.Saravanan
Additional Government Pleader
for R3 & R4

ORDER

(Order of the Court was made by G.Arul Murugan, J.)

This writ petition, styled as Public Interest Litigation, assails the Resolution dated 29.08.2025 of the 4th respondent Municipality in resolving to construct a Knowledge Centre (NCP School) at Ward No.6, Survey No.1, Dharapuram Municipality.



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2. Heard Mr.Naveen Kumar Murthi, learned counsel for the petitioner, Mr.E.Vijay Anand, learned Additional Government Pleader for respondents 1, 2 & 5 and Mr.T.K.Saravanan, learned Additional Government Pleader for respondents 3 & 4 and perused the materials available on record.

3. The writ petition is mainly premised on the ground that the resolution of the 4th respondent Municipality to construct Knowledge Centre in the playground of the 6th respondent School is in violation of Section 8 of the Tamil Nadu Parks, Play-fields and Open Spaces (Preservation and Regulation) Act, 1959. Further, it is stated that the 4th respondent Municipality ought to have obtained the public opinion and chosen a Government land for the public purpose of putting up construction. Since the decision to utilise a portion of the playground would be detrimental to the interest of the students, the impugned resolution passed is illegal.

4. Responding to the allegations made, the 3rd respondent had filed a counter affidavit stating that the land measuring an extent of



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5.33 acres vests with the 3rd respondent Municipality. Out of which, only an extent of 128.28 square meters (3.194 cents) has been notified as a statutory play-field and published in the official gazette as early as on 28.02.1995. Since further land measuring an extent of 9120 square meters (225.65 cents) is available apart from the notified 3.194 cents, the 4th respondent Municipality had resolved to construct the Knowledge Centre in a small portion of this area which site also does not fall within the notified statutory play-field. Hence, there is no violation of the provisions of the Act.

5. Further, it is stated that the project for the construction of Knowledge Centre is undertaken for public benefit. The Knowledge Centre is being constructed through a State-sponsored public welfare project through which nearly 4,000 students who are aspirants of the competitive examination would be benefited. The Monitoring Committee held at the Secretariat, Chennai, had granted administrative sanction on 16.07.2025 for the construction of Knowledge Centre. Out of the total project cost of Rs.2.10 Crores, Rs.1.89 Crores is funded by the National Housing Bank and the remaining Rs.21 Lakhs is from the urban local body share. Only



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pursuant to which the 4th respondent Municipality passed the resolution for construction of the public project.

6. It is also brought to the notice of this Court that as per G.O. (Ms)No.49 School Education Department dated 01.03.2007, the minimum land required for a playground is 10 grounds in a Municipality, whereas the 6th respondent School is located in the land measuring an extent of 5.33 acres, which vests with the 3rd respondent Municipality.

7. When a total area of 67.8 grounds is available in the School as a playground, now a small portion in one corner measuring 5.16 grounds is alone to be used for construction of the Knowledge Centre. The Knowledge Centre, being a State-sponsored public welfare project, is brought up intending to benefit the large number of students who are aspirants to undertake competitive examinations. When a large part of the playground of the School has been left undisturbed, the utilisation of a small extent of land in a corner for the development of public project, which is for the welfare of the students themselves, cannot be said to affect the students of the School.



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8. As has been clearly spelt out in the counter affidavit, when only an extent of 3.194 cents has been notified as statutory play-field through the official gazette dated 28.02.1995 and there is an additional extent of 225.65 cents which does not form part of the notified play-field, the primary objection that the Knowledge Centre is sought to be constructed in violation of the provisions of the Act is misplaced. Even out of 225.65 cents, only a small extent in a corner and the huge play-field attached to the School are to be utilised, which would in no way affect the interest of the students but rather would be to their advantage.

9. When the construction of the Knowledge Centre is undertaken in accordance with all statutory compliances, this Public Interest Litigation has been filed alleging violations of provisions of the Act, which is factually incorrect. The proposed public project of constructing the Knowledge Centre for the welfare of the students is sought to be prevented on factually incorrect allegations, which have led to unnecessary delay of the project. The writ petition lacks merit and deserves to be rejected.



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10. Accordingly, the writ petition stands dismissed. There shall be no order as to costs.

(MANINDRA MOHAN SHRIVASTAVA, CJ) (G.ARUL MURUGAN, J)
26.02.2026

Index : Yes/No
Neutral Citation : Yes/No
sri

To

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