

Salem District, Ayothyapattinam Panchayat Union, Masinaickenpatti Village - Survey Nos.101/1 part, 102, 103/3 part, 105 part, 106/1 part and 107 part – Appeal for conversion of public site into residential area – Rejected.

Rural Development and Panchayat Raj (PR.2) Department

G.O. (Ms) No.61

Dated 17.4.2008

Read:

- (1) From the Director of Town and Country Planning Letter No.7184/07/LA1 dated 19.6.2007.
- (2) From Tmt. S. Uma, W/o R. Mahendran, Namakkal appeal petition dated 18.7.2007
- (3) From the Commissioner of Town and Country Planning Letter.No.7184/2007/LA1 dated 23.1.2008.

ORDER:

Tmt. S. Uma, W/o R. Mahendran, in her appeal petition second read above, has stated that she had purchased 17302 sq. feet from the salable public site reserved for school and play ground in the approved layout in Survey Nos.101/1 part, 102, 103/3 part, 105 part, 106/1 part, and 107 part at Masinaickenpatti village in Salem District for construction of a school. But as per the orders issued in G.O. (2D) No.48 School Education Department, dated 21.7.2004, the land area has been fixed as 3 acres for construction of Matriculation School in rural areas. Therefore, she did not construct school in the above area. Hence, she has requested for conversion of the above public site into residential for construction of a house.

2. The Commissioner of Town and Country Planning, in the letter third read above, has stated that in the approved layout in Survey Nos., 101/1 part, 102, 103/3 part, 105 part, 106/1 part, and 107 part at Masinaickenpatti village in Salem District, the following extent of area has been reserved for public purpose:

(i) Recreation ground and community hall	46785 sq. ft.	- 6.72%
(ii) School and Play ground	17302 sq.ft	- 2.48%
(iii) Park & Water Head Tank	5543 sq.ft	- 0.80%

69630 sq.ft - 10%

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The petitioner, Tmt.S.Uma W/o Thiru.R.Mahendran had purchased an extent of 17302 sq.ft. (item No.(ii) above) reserved for construction of school from the said 10% reserved site allotted for public purpose.

3. The Commissioner of Town and Country Planning has also stated that if the land reserved for school building is converted as residential area, objections will come from other plot owners in the layout. He has also stated that in the judgment of High Court of Madras dated 12.4.2007 in W.A. Nos. 156/2000 and 45/2003 it has been ordered that the portion of land reserved for public purpose in

a layout or in a development plan or master plan approved by the local body can not be used for any other purpose other than the one specified therein. Hence, he has rejected the request of the petitioner.

4. The Government have carefully examined the Appeal Petition of Tmt. Uma in the light of the remarks offered by the Commissioner of Town and Country Planning. The Government have decided to reject the request of the petitioner Tmt.Uma for conversion of the public site, an extent of 17,032 sq. feet reserved for school and play ground into residential area in the approved layout in Survey Nos. 101/1 part, 102, 103/3 part, 105 part, 106/1 part, and 107 part at Masinaickenpatti Village in Salem District and issue orders accordingly.

(By order of the Governor)

K. ASHOK VARDHAN SHETTY
SPECIAL COMMISSIONER &
SECRETARY TO GOVERNMENT