

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:08.01.2015

C O R A M

THE HONOURABLE MR.JUSTICE T.S. SIVAGNANAM

W.P.No.30569 of 2014

M. Abhitha Kumari

...Petitioner

vs.

1. The District Collector
Vellore District.
2. The District Revenue Officer,
Vellore.
3. The Sub- Collector,
Tirupathur, Vellore District.
4. The Tahsildar
Ambur Taluk, Vellore District.
5. The Chief Educational Officer,
Vellore District.
6. The Secretary to Government,
Revenue Department,
Fort St. George, Chennai.
7. The Commissioner,
Land Administration, Chennai.
(R6 & R7 impleaded as per order dated
08.01.2015 by TSSJ
in M.P.No.1 of 2014 in W.P.No.30569/2014)

...Respondents

PRAYER: Writ petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents 1 to 4 to assign 72 cents of land in Guruvarajapalayam S.No.186/15, S.No.186/16, S.No.186/20, S.No.186/23, S.No.186/24, S.No.186/25, S.No.186/27 & S.No.186/29 in

the name of the Chief Educational Officer, Vellore for the construction of Additional buildings for the High School in Guruvarajapalayam Panchayat, Ambur Taluk, Vellore District.

For Petitioner : M/s.R. Margabandhu

For Respondents : Mr. D. Suriya Narayana
Government Advocate

O R D E R

With the consent of learned counsel for both sides, the writ petition is disposed of at the admission stage itself.

2. Heard both sides.

3. The petitioner is the President of Panchayath Board, Guruvarajapalayam, Madanur Panchayath Union, Ambur Taluk, Vellore District. In the said Panchayath, there is Government Middle School called Madhanur Panchayath Union Middle School having classes up to 8th standard and it is stated that students' strength is increasing year by year and the school was upgraded as High School in the year 2011 by G.O.Ms.No.199 dated 7.12.2011.

4. It is submitted that there are about 500 students with 12 teaching staffs and the existing building of the school is comprised in S.Nos.183/24 and 183/26 and the school has no additional extent of land for the purpose of expansion. Therefore, they made several requests to assign the adjacent lands available in S.Nos. 186/23, S.No.186/24, S.No.186/25, S.No.186/27 & 186/29, measuring to an extent of 72 cents which has been classified as Grama Natham Poromboke land.

5. It is submitted by the petitioner that the fourth respondent/Tahsildar, Ambur Taluk, Vellore District, is refusing of assign the land. A survey has already been conducted by the Revenue Inspector and identified that 72 cents of land is available and the fifth respondent/Chief Educational Officer, Vellore District has sent communication for transfer of patta for 50 cents of land for the construction of school building to the Government High School dated 03.03.2014 stating that the requirement of additional land is essential. In spite of all these recommendations and the resolution passed by the Panchayath Board, no action has been taken for allotment of land for the purpose of construction of school

building which necessiated the petitioner to approach this court.

6. Taking note of the communication of the fifth respondent, this Court feels that it is a fit case where the respondents should consider the matter after taking note of the recommendations. Accordingly, the writ petition is disposed by directing the fourth respondent to place all the records concerning to the said lands including the sketch prepared after inspection, recommendations of the Educational Department, resolution passed by the Panchayath Board for the consideration of the first respondent.

7. The Tahsildar, Ambur Taluk, Vellore District shall forward the entire documents referred above, along with appropriate proposals to the first respondent within a period of eight weeks from the date of receipt of copy of this order. Thereafter, the first respondent shall consider the same as expeditiously as possible taking note of the request made for the purpose of expansion of the Panchayat Union Middle School.

8. With the above direction, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

Gv

To

1. The District Collector
Vellore District.
2. The District Revenue Officer,
Vellore.
3. The Sub- Collector,
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4. The Tahsildar
Ambur Taluk, Vellore District.
5. The Chief Educational Officer,
Vellore District.
6. The Secretary to Government,
Revenue Department,
Fort St. George, Chennai.
7. The Commissioner,
Land Administration, Chennai.

1 CC to M/s.R. Margabandhu, Advocate SR.No. 1859

1 CC to the Government Pleader, SR.No. 1201

W.P.No.30569 of 2014

KJI (CO)
PSI (12.02.2015)



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