

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11-8-2015

CORAM

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P.No.17649 of 2015

P.Periyannan

... Petitioner

Vs.

1. The Collector,
Salem District,
Salem.
2. The Assistant Director of Town Panchayat,
Salem Region,
Room No.201, Collectrate,
Salem-1.
3. The Executive Officer,
Tharamangalam Town Panchayat,
Tharamangalam,
Omalur Taluk,
Salem District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for the Writ of Mandamus forbearing the respondent from constructing public lavatory at Ist Ward, Arunachalampudur, Tharamangalam, Salem District and direct the respondent to renovate the existing public lavatory situated on the left side of the Pothanur-Konagappadi Road.

For Petitioner : Mr.S.Doraisamy

For Respondents : Mrs.P.Rajalakshmi
for RR 1 to 3

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ORDER

The petitioner contends that he is residing in Door No.1-2/210, Ist Ward, Arunachalam Pudur, Pothanur Road, Tharamangalam, Omalur Taluk, Salem District. There are about 100 houses in the said village. There is a public toilet in the opposite side to the petitioner's residence. Recently a new public lavatory is ear marked to be constructed by the third respondent along with two other public lavatories and a tender notice dated 20.5.2015 was also issued.

2. The proposed public lavatory is to be located very nearer to Primary Health Centre and if it is constructed, it will create health hazard, not only to the villagers but also to the patients, who are visiting the Health Centre and therefore, the petitioner has given a representation to the respondents 2 and 3 on 15.5.2015, giving a proposal to locate the proposed new public toilet at S.Nos.150 and 146.

3. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents. Though, the 3rd respondent filed a counter affidavit opposing the contention of the petitioner, this court directs the third respondent to dispose of the petitioner's representation dated 15.5.2015, as per law without expressing any opinion on merit, within four weeks from the date of the receipt of a copy of the order.

4. The writ petition is disposed of. No costs. Consequently the connected M.P.No.1 of 2015 is closed.

Sd/-
Assistant Registrar(J)

//True Copy//

सत्यमेव जयते Sub Assistant Registrar

vk

To:

1.The Collector,
Salem District,
Salem.

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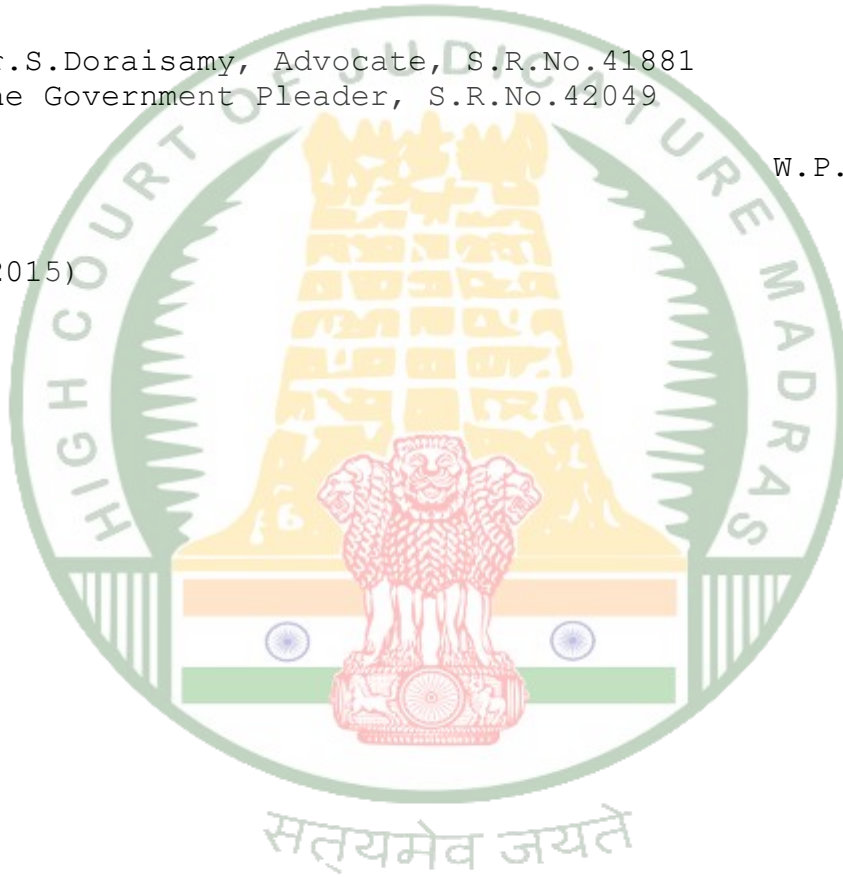
2.The Assistant Director of Town Panchayat,
Salem Region,
Room No.201, Collectrate,
Salem-1.

3.The Executive Officer,
Tharamangalam Town Panchayat,
Tharamangalam,
Omalur Taluk,
Salem District.

+1cc to Mr.S.Doraisamy, Advocate, S.R.No.41881
+1cc to the Government Pleader, S.R.No.42049

W.P.No.17649 of 2015

SVI (CO)
CA(26/08/2015)



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