

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2015

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, THE CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE M.M.SUNDRESH

W.P.No.6401 of 2010

and

M.P.No.1 of 2010

P.Rajendran Petitioner

Vs.

1.The District Collector,
Villupuram.

2.The District Revenue Officer,
Villupuram.

3.The President,
Kandamangalam Panchayat Union,
Periyababu Samuthiram post,
Villupuram Taluk & District. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus forbearing the respondents, their men, agents and subordinates from putting up any construction of a permanent structure in Survey Number 248, Periyababu Samuthiram post, Kandamangalam, Villupuram Taluk and District.

For Petitioner : Mr.V.Raghavachari

For Respondent : Mr.V.R.Kamalanathan
Addl. G.P. for R1 and R2
Mr.S.Srinath for R3

ORDER

(Judgment of the Court was delivered by The Hon'ble Chief Justice)

The petitioner has approached this Court to prevent the construction of any permanent structure in S.No.248, Periyababu Samuthiram post, Kandamangalam, Villupuram Taluk and District. It is alleged that part of the lake area is sought to be utilised for construction of a school, though already school exists in proximity in S.Nos.270 and 271.

2. Interim order was granted on 09.06.2010, but, yet no counter-affidavit has been filed and thus, we do not know the stand of the respondents.

3. As to how many schools are in that area and whether more schools are required or not in that area, are within the domain of the District Administration. It is equally true that no construction could be made in a lake area.

4. We, thus, dispose of the writ petition with a direction that no construction be carried out in the lake area, but beyond that whether any Secondary School is required or not, would be for the respondents to consider the same. No costs. Consequently, M.P.No.1 of 2010 is closed.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

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To

1.The District Collector,
Villupuram.

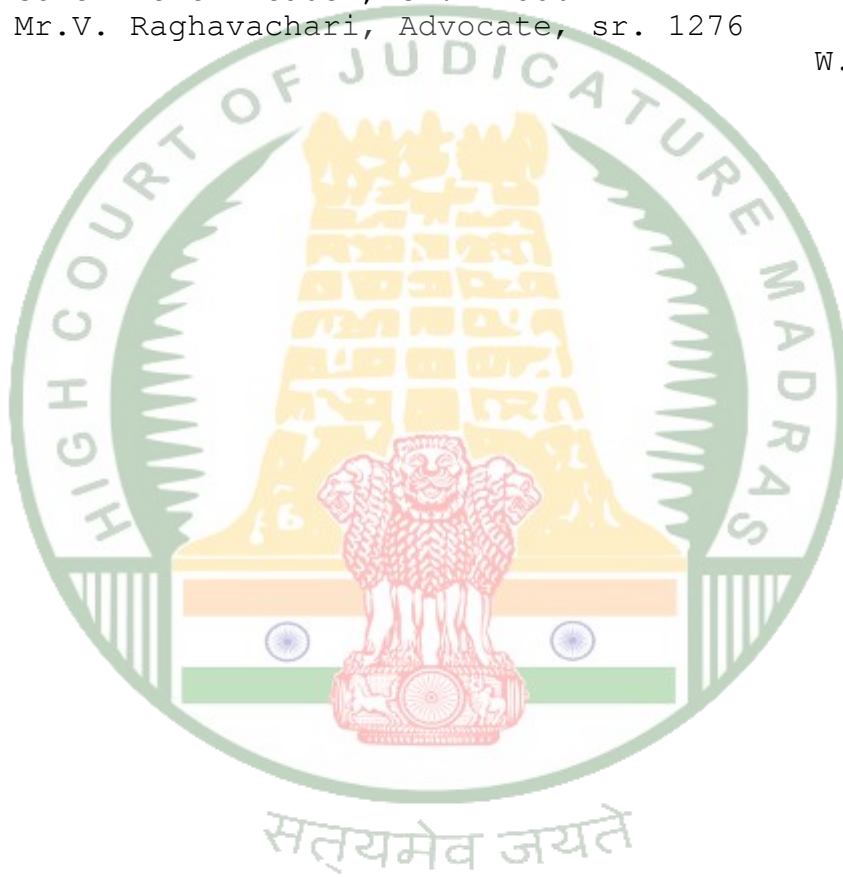
2.The District Revenue Officer,
Villupuram.

3.The President,
Kandamangalam Panchayat Union,
Periyababu Samuthiram post,
Villupuram Taluk & District.

1 cc to Government Pleader, sr. 12356
1 cc to Mr.V. Raghavachari, Advocate, sr. 1276

W.P.No.6401 of 2010

BR (CO)
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