



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.11.2015

CORAM :

THE HONOURABLE MR.JUSTICE V.RAMASUBRAMANIAN

and

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

Writ Petition (MD) No.21047 of 2015

and

MP (MD) Nos.1 & 2 of 2015

M.Anandakumar

.. Petitioner

Vs.

1.The District Collector,
Pudukottai,
Pudukottai District.

2.The Revenue Divisional Officer,
Pudukottai,
Pudukottai District.

3.The Block Development Officer (Scheme)
Thirumayam,
Pudukottai District.

4.The Tahsildar,
Thirumayam Taluk,
Thirumayam,
Pudukottai District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to stop the constructing work at Survey No.76 and choose other place of Kuzhipirai Village, Thirumayam Taluk, Pudukkottai.

For Petitioner : Mr.A.Vadivel

For Respondents : Mr.C.Selvaraj

Special Government Pleader

ORDER

(Order of the Court was made by V.RAMASUBRAMANIAN,J.)

The petitioner has come up with the above writ petition seeking a writ of mandamus to direct the respondents to stop the construction work in Survey No.76 of Kuzhipirai Village, Thirumayam Taluk, Pudukkottai.

<https://hcservices.ecourts.gov.in/hcservices/> 2.In the presence of Mr.A.Vadivel, learned counsel for the petitioner.

3.The case of the petitioner is that Survey No.76 is classified as a shandy poramboke in village 'A' register and that



weekly markets were conducted for a very long time in the same place. Therefore, the petitioner wants an injunction restraining the panchayat from putting up any construction in the place.

4. But it is admitted by the petitioner even in his representation that for the past few years, the weekly shandy has been shifted to a different place. According to the petitioner, this happened due to objections by some miscreants in the village.

5. But whatever it is, once it is admitted that the weekly shandy is now conducted for the past few years in a different place, the petitioner cannot object to the construction of a panchayat building in the place where originally the shandy was being run. There are no other justifiable reasons for preventing the construction. Hence, this writ petition is dismissed. No costs. Consequently, connected MP(MD) Nos.1 & 2 of 2015 are closed.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub-Assistant Registrar

To

1. The District Collector,
Pudukottai,
Pudukottai District.

2. The Revenue Divisional Officer,
Pudukottai, Pudukottai District.

3. The Block Development Officer (Scheme)
Thirumayam, Pudukottai District.

4. The Tahsildar,
Thirumayam Taluk,
Thirumayam, Pudukottai District.

+One cc to Mr.A.Vadivel, Advocate, SR.No.68652

mj

RL/6C/AAL/MPA/11/12/2015

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