



WEB COPY

1

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.09.2015

CORAM :

THE HONOURABLE MR.JUSTICE R.SUDHAKAR

and

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Writ Petition (MD) No.13063 of 2013

Paramasivan

... Petitioner

V.s

1.The District Collector,
Tirunelveli District,
Kokirakulam,
Tirunelveli.

2.The Assistant Director,
Rural Development (Panchayats)
Tirunelveli.

3.M.Aruna Muralitharan
(R3 impleaded as per order
dated 21.08.2013 in MP(MD)No.2/2013)

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to open the community hall for public purpose and hand over the key to the village head which is situated in Survey New No.254/10 Old No.172 at Mupeedathi Amman Kovil Street Rediyarpatti Palayamkottai Taluk Tirunelveli District within the time limit that may be stipulated by this Hon'ble Court.

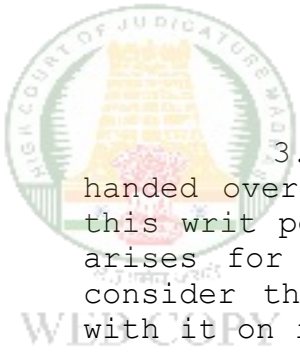
For Petitioner	: Mr.A.D.Ganeshamoorthi
For Respondents 1 &2	: Mr.A.K.Baskarapandian, Special Government Pleader.
For 3 rd Respondent	: Mr.R.Manimaran

ORDER

(Order of the Court was made by R.SUDHAKAR,J.)

This writ petition has been filed in public interest, seeking for a direction to the respondents to open the community hall, meant for public purpose and hand over the key to the village head of the petitioner, which is situated in new Survey No.254/10, Old No.172 at Mupeedathi Amman Kovil Street, Rediyarpatti, Palayamkottai Taluk, Tirunelveli District.

2. It is the grievance of the petitioner that a community hall was built in the year 2005 under the Constituency Development Scheme and the same is being kept closed for the past four years due to some dispute. Now the petitioner wants the key of the said community hall to be handed over to the Head of his community.



3. The key of the said public building, cannot be directed to be handed over to a third person. Moreover, we find no reason to entertain this writ petition as a public interest litigation, as no cause of action arises for consideration. However, the first respondent is directed to consider the representation of the petitioner dated 31.08.2009 and deal with it on its own merit and in accordance with law.

4. With the above observation, this writ petition is closed. No costs. Connected Miscellaneous petition is closed.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Tirunelveli District,
Kokirakulam,
Tirunelveli.

2.The Assistant Director,
Rural Development (Panchayats)
Tirunelveli.

+1cc to Mr.A.D.Ganeshamoorthi,Advocate SR.No.51192

+1cc to Mr.R.Manimaran, Advocate SR.No.51200

+1cc to The Special Government Pleader, Madurai. SR.No.51315

Writ Petition (MD) No.13063 of 2013
01.09.2015

mj

NS/AN-MP/16.09.2015 : 2P/6C