

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 18.03.2016

THE HON'BLE MR.JUSTICE **SATISH K.AGNIHOTRI**
AND
THE HON'BLE MR.JUSTICE **M.M.SUNDRESH**

Review Application No.296 of 2015
in W.P.No.30261 of 2013

B.Balakrishnan
President, Parent Teachers Association,
Government High School,
Vennampalli Village,
Mallinayanappalli Post,
Krishnagiri District.

... Petitioner

Vs.

1.The Commissioner of Backward Classes Welfare,
Ezhilagam, Chepauk, Chennai.

2.The District Collector,
Office of the District Collector, Krishnagiri.

3.The District Backward Welfare Officer,
Krishnagiri.

.... Respondents

Prayer: Review Application is filed under Order 47 Rules
1 r/w Section 114 of C.P.C., to review the order dated
12.06.2014 in Writ Petition No.30261 of 2013 passed
by this Court.

For Petitioner : Mr.M.V.Krishnan

For Respondents : Mrs.A.Sri Jayanthi,
Special Government Pleader

ORDER

Seeking to review the order passed in W.P.No.30261 of 2013 dated 12.06.2014, the present application has been filed.

2. By the order aforesaid dated 12.06.2014, the writ petition was dismissed in the following manner.

"4. The learned Additional Government Pleader further submitted that the second respondent, in and by order dated 18.07.2012, ordered change of location of hostel and the decision of the second respondent has also been accepted by the first respondent and the decision taken, being an administrative one based upon relevant materials, no interference is warranted.

5.As rightly submitted by the learned Additional Government Pleader, the petitioner does not have any vested right to insist that the school hostel, as existing now, should be allowed to continue. The respondents have taken into consideration, all relevant materials. When such an administrative decision is taken, the power of judicial review over the same shall not be exercised. The decision taken by the second respondent has also not been challenged before this Court."

3. The only submission made by the learned counsel appearing for the petitioner is that the Honourable Chief Minister of the Tamil Nadu, on the floor of the assembly, made an announcement on 09.05.2013 for the construction of the new hostel buildings for 68 hostels including the boys hostel at Vennampalli Village, Krishnagiri District. Thus, considering the aforesaid statement, the order requires review.

4. We are afraid that the said contention cannot be the basis to review the order passed. A mere statement, if any, *per se* would not create a right in favour of the petitioner seeking a writ of mandamus. Thus, the review application stands dismissed. However, it is made clear that the dismissal of the writ petition and the review application will not stand in the way of the respondents from taking any subsequent decision as per law.

Index:Yes/No
raa

(S.K.A.,J.) (M.M.S., J.)
18.03.2016

**SATISH K. AGNIHOTRI,J.
AND
M.M.SUNDRESH,J.**

(raa)

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of 2015 in
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