

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 05.08.2016

Coram:

The Honourable Mr.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
The Honourable Mr.Justice R.MAHADEVAN

W.P.No.27372 of 2016

M.Manivannan

... Petitioner

Versus

1.The Principal Secretary to Government,
Government of Tamil Nadu
Department of Revenue,
Secretariat, Chennai 600 009.

2.The Principal Secretary to Government,
Government of Tamil Nadu
Rural Development of Panchayat Raj Department,
Secretariat, Chennai 600 009.

3.The District Collector,
Coimbatore District
Coimbatore.

4.The Commissioner,
Valparai Municipality,
Valparai,
Coimbatore District.

5.The Tahsildar,
Valparai Taluk,
Valparai, Coimbatore District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issue of a Writ of Mandamus, to direct the respondents to bring the local administration of Mudis Town under the control of Valparai Municipality with consequential direction to the 3rd respondent to construct a Primary Health Centre with essential amenities at Mudis Town utilizing the funds already allotted for this purpose several years ago by the 1st respondent within a stipulated time.

For Petitioner ::: Mr.T.P.Prabakaran
For Respondents ::: Mr.M.K.Subramanian
Government Pleader
for R.1 to R.3 and R.5
Mrs.K.Bhuvaeshwari for R.4

O R D E R

(The Order of the Court was made by
The Hon'ble The Chief Justice)

The petitioner wants construction of a Primary Health Centre at Mudis town by identifying a proper land. It appears that there are some issues regarding the ownership of the land qua that place, as the Government is of the view that the land is largely private owned. The petitioner has made a representation on 25.07.2014.

2. The issue in question really being one of facilities and infrastructural domain falls completely within the ambit of administrative action alone and in a Public Interest Litigation, we cannot go into all these issues. However, since the petitioner has made a representation, the Government may examine the representation and communicate a decision on the same to the petitioner within a period of three months from the date of receipt of this order, without giving any further cause of action to file any Public Interest Litigation.

3. The writ petition is thus closed in the aforesaid terms, leaving the parties to bear their own costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.The Principal Secretary to Government,
Government of Tamil Nadu,
Department of Revenue, Secretariat,
Chennai 600 009.

2.The Principal Secretary to Government,
Government of Tamil Nadu
Rural Development of Panchayat Raj Department,
Secretariat, Chennai 600 009.

3.The District Collector, Coimbatore District,
Coimbatore.

4.The Commissioner, Valparai Municipality,
Valparai, Coimbatore District.

5.The Tahsildar, Valparai Taluk, Valparai,
Coimbatore District.

+1 cc to Mrs.K.Bhuvaneswari Advocate sr 44483
+1 cc to Government Pleader sr 44767

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