

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2016

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
The Hon'ble MR.JUSTICE M.M.SUNDRESH

W.P.No.4162 of 2016

and

WMP.No.3483 of 2016

P.Subramanian

... Petitioner

-Vs-

1. The District Collector,
Villupuram District,
Villupuram.
2. The District Project Co-ordinator/
Chief Education Officer,
Sarva Sikshya Abhiyan (SSA),
Villupuram District, Villupuram.
3. The Revenue Divisional Officer,
Villupuram.
4. The Tahsildar,
Villupuram.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issue of a Writ of Certiorarified Mandamus calling for the records of the proceeding of the first respondent made in Na.Ka.B2/11928/2012 dated 04.09.2015 and quash the same consequently direct the respondents to choose any other alternative place for the purpose of locating Additional School Buildings for the Government High School, Elusempon village, Vickravandi Taluk, Villupuram District including the places identified by the Parent Teachers Association and villagers.

For Petitioner : Dr.S.Thirumavalavan

For Respondents : Mr.STS.Moorthy
Government Pleader
assisted by
Mr.V.R.Kamalanathan, Addl. G.P.
Mr.V.Shanmugasundar, Govt. Advocate
for R1 to R4

ORDER

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

The petitioner had earlier filed writ petition [W.P.No.21348 of 2014] for disposal of his representation dated 18.11.2013 in which a direction was so passed to dispose of the representation by the first respondent qua the location of the school buildings.

2. The District Collector, who has to examine the matter, in fact, examined this issue and found that out of three alternative sites suggested by the petitioner, two are water courses and thus, there is no question of any construction of school buildings therein, apart from the two being far away from the village and the third location suggested has not been found suitable for construction, being a catchment area.

3. We have perused the records forming the subject matter of this issue and find that the decision of the District Collector cannot be faulted with in view of the rationale given. Further, really, this cannot form the subject matter of a public interest litigation as to where the school buildings should be located, as it falls within the administrative domain. Since the earlier representation of the petitioner had remained unaddressed, the direction was passed for the said purpose.

4. We are, thus, not inclined to exercise the jurisdiction in this matter as public interest litigation.

5. The writ petition is dismissed. No costs. Consequently, WMP.No.3483 of 2016 is closed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//सत्यमेव जयते

Sub Assistant Registrar

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To

1. The District Collector,
Villupuram District,
Villupuram.
2. The District Project Co-ordinator/
Chief Education Officer,
Sarva Sikshya Abhiyan (SSA),
Villupuram District,
Villupuram.

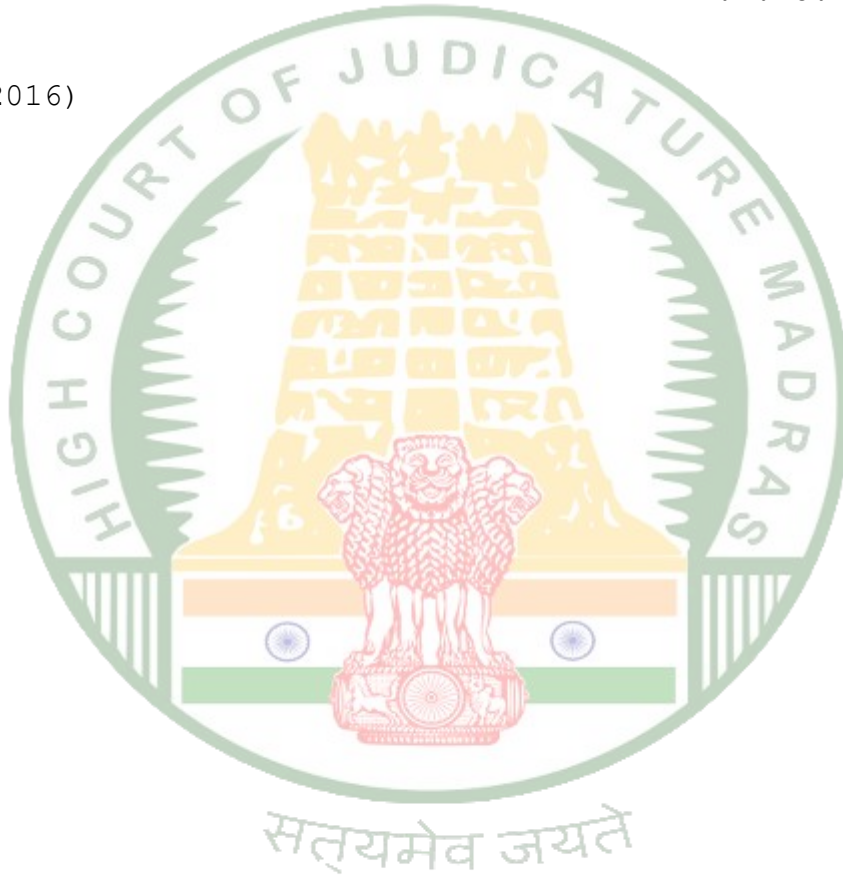
3. The Revenue Divisional Officer,
Villupuram.

4. The Tahsildar,
Villupuram.

+1cc to Dr.S.Thirumavalavan, Advocate, S.R.No.7151
+1cc to the Government Pleader, S.R.No.7516

W.P.No.4162 of 2016

SKV(CO)
JD(15/02/2016)



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