

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 25.02.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.6976 of 2016

J.Prince Fernandez

.. Petitioner

Versus

1.The Principal Secretary /
State Commissioner for
the Differently Abled,
Office of the State Commissioner for
the Differently Abled,
Jawaharlal Nehru Inner Ring Road,
K.K.Nagar, Chennai-600 078.

2.The Executive Officer,
Kotagiri (Special Grade) Town Panchayt,
Kotagiri, Nilgiris District - 643 217.

3.Shanthi Neethi Kendra,
Training Disabled for Rehabilitation,
Represented by its Managing
Trustee Mrs.Devarani Moses,
Door No.12/222, (Old No.27/114A),
St.Lukes Church Road,
Kamaraj Square, Kotagiri Taluk,
Nilgiris District.

.. Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing the second respondent to conduct a proper inspection into the building located in the premises of 'Shanthi Neethi Kendra', situated at Door No.12/222, St.Lukes Church Road, Kamaraj Square, Kotagiri Taluk, Nilgiris District in compliance with the statutory requirements and take appropriate action in accordance with law expeditiously.

For Petitioner : Mr.C.E.Pratap

For Respondents : Mr.R.Rajeswaran
Special Government Pleader for R1

Mr.M.Digvijay Pandian for R2

O R D E R

Heard Mr.C.E.Pratap, learned Counsel appearing for the petitioner, Mr.R.Rajeswaran, learned Counsel accepting notice for the first respondent and Mr.M.Digvijay Pandian, learned counsel accepting notice for the second respondent.

2. The petitioner has got certain grievances against the third respondent, who is a Day Care Centre, established for the differently abled persons. The petitioner alleges that the third respondent is constructing a building in violation of the building norms of the Tamil Nadu Hilly Areas Special Building Rules, 1981.

3. Prima facie, this Court is of the view that the attempt of the petitioner is personal rivalry with the third respondent. Therefore, this Court cannot issue any Mandamus as sought for. Photographs which have been produced in the typed set of papers shows that the building is in existence for several decades. Hence, the prayer sought for by the petitioner cannot be granted.

Accordingly, the Writ Petition is dismissed. However, it is open to the petitioner to follow up his representation administratively. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

TO

- 1.The Principal Secretary / State Commissioner for the Differently Abled,
Office of the State Commissioner for the Differently Abled,
Jawaharlal Nehru Inner Ring Road,
K.K.Nagar, Chennai-600 078.
- 2.The Executive Officer,
Kotagiri (Special Grade) Town Panchayt,
Kotagiri, Nilgiris District - 643 217.

+1cc to Mr.C.E. Pratap, Advocate, S.R.No.12082
+1cc to the Government Pleader, S.R.No.11690

KJI (CO)
Eu 09.03.16

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