

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2016

CORAM :

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

The Hon'ble MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P. No.726 of 2016

and

W.M.P.No.542 of 2016

B.Kesavan

... Petitioner

-Vs-

1. The District Collector,
Salem District, Salem.
2. The Revenue Divisional Officer/
Deputy Collector,
Mettur Revenue Division,
Mettur Dam, Salem District.
3. The Tahsildar,
Omalur Taluk, Omalur,
Salem District.
4. The Chief Educational Officer,
Salem District, Salem.
5. The President,
School Management and Development
Committee, Kundukkal High School,
Jodukuli Post, Omalur Taluk,
Salem District.
6. The Head Master
Government High School,
Kundukkal, Omalur Taluk,
Salem District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the

respondents 1 to 3 to take appropriate steps to transfer the lands to the name of school authorities by considering representation dated 17.11.2015 forthwith, consequently direct the respondents 4 to 6 to construct the school buildings for Government High School at Kundukkal Village, Omalur Taluk, Salem District, as per the sanction of Rs.135.00 lakhs made by the Government of Tamil Nadu in the year 2014.

For Petitioner : Mr.M.R.Jothimanian

For Respondents : Mr.S.T.S.Murthi,
Government Pleader, assisted by
Mr.V.Shanmuga Sundar, G.A.
For RR 1 to 4 & 6.

O R D E R

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

The grievance of the petitioner is that the transfer, which has to take place of the land for the Government school, has still not taken place despite considerable lapse of time. In this behalf, our attention is drawn to the communication from the District Collector, Salem, dated 17.06.2015 requiring to convey the proposal for two acres of land by the Sub-Collector out of the land situated at Omalur Taluk, Gundukkal Village, in Survey Nos.53/2, 54/3, 61/1 and 148/2 bare Kallankuthu land, noticing that till that date no proposal has been received in respect of the land and the same should be sent without causing any delay. Even this has apparently not moved the Sub-Collector. The State Government is also stated to have sanctioned Rs.135 lakhs for the school.

2.We, thus, direct the Sub-Collector to take action in pursuance to the communication of the Collector dated 17.06.2015 within a maximum period of one (1) month of the receipt of the order, whereafter a final decision will be taken within a period of two (2) months thereafter and the final picture will be communicated to the petitioner immediately thereafter.

3.The petitioner has also prayed for an interim direction for providing basic amenities till the new school comes up. This aspect will be forthwith attended to and necessary action taken specifically in respect of water and toilet facilities for the children within a period of one (1) month of the receipt of the order.

4.Writ Petition and W.M.P.No.542 of 2016, accordingly, stand disposed of. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

sra

To

1. The District Collector,
Salem District, Salem.
2. The Revenue Divisional Officer/
Deputy Collector,
Mettur Revenue Division,
Mettur Dam, Salem District.
3. The Tahsildar,
Omalur Taluk, Omalur,
Salem District.
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Jodukuli Post, Omalur Taluk,
Salem District.
6. The Head Master
Government High School,
Kundukkal, Omalur Taluk,
Salem District.
7. The Sub Collector, Mettur,
Salem District, Salem.

+1cc to Mr.M.R.Jothimanian, Advocate, S.R.No.2144
+1cc to the Government Pleader, S.R.No.1508

W.P.No.726 of 2016

AD(CO)
CA(25/01/2016)