



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.09.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

AND

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P. [MD] .No.1543 of 2015

and

M.P. (MD) .No.1 of 2015

S.Rajendiran

... Petitioner

Vs.

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Project Director,
Rural Development Department,
Ramanathapuram,
Ramanathapuram District.

3.The Block Development Officer,
Thiruvadanai,
Ramanathapuram District.

4.The President,
Thiruvadanai Panchayat,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents not to demolish the Busstand passenger's shelter at Thiruvadanai, Ramanathapuram District.

For Petitioner	: Mr.S.Kameswaran
For respondents	: Mr.T.R.Janarthanam, Addl. Government Pleader

O R D E R

[Order of the Court was made by **S.NAGAMUTHU, J.**]

The petitioner has come up with this Writ Petition as a Public Interest Litigation seeking a direction to the respondents not to demolish the bus-stand passenger's shelter at Thiruvadanai, Ramanathapuram District.



2. We have heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents.

3. In our considered view, the relief sought for by the petitioner cannot be granted, because whether to continue to have the same shelter or to replace with the new shelter is absolutely within the discretion of the authority concerned, having regard to the condition of the shelter and other facts. Therefore, it is not possible to issue any direction as prayed for. Further, the petitioner has got no vested right. The Writ Petition is, therefore, dismissed. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar(W)

/True copy/

Sub Assistant Registrar

To

1. The District Collector,
Ramanathapuram District, Ramanathapuram.

2. The Project Director,
Rural Development Department,
Ramanathapuram, Ramanathapuram District.

3. The Block Development Officer,
Thiruvadanai, Ramanathapuram District.

4. The President,
Thiruvadanai Panchayat, Ramanathapuram District.

+1 cc to M/s.S.Kameswaran, Advocate in SR.No.54438

+1 cc to The Special Government Pleader in SR.No.54157

gcg

CSL/AAL-MPA/04.10.2016 :2P/7C

Order made in
W.P. [MD].No.1543 of 2015
19.09.2016