



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.09.2016

CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
AND
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P.[MD].No.6759 of 2016
and
W.M.P. (MD) .No.5826 of 2016

P.Ayothi

..Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Chief Educational Officer,
Sivagangai.

3.The Superintending Engineer,
Public Works Department,
(Building and Maintenance),
Madurai.

4.The Executive Engineer,
Public Works Department,
(Building and Maintenance),
Sivagangai.

5.The Sub Registrar,
Paramakudi,
Ramanathapuram District.

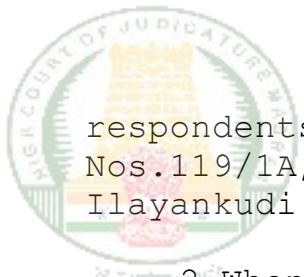
...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to forbear the respondents from putting up any construction works at Survey Nos.119/1A, 119/1B and 122/4 of Katchathanallur Village, Ilayankudi Taluk, Sivagangai District, except under due process of law.

For Petitioner	: No Appearance
For respondents	: Mr.M.Rajarajan, Government Advocate

O R D E R

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



respondents from putting up any construction works at Survey Nos.119/1A, 119/1B and 122/4 of Katchathanallur Village, Ilayankudi Taluk, Sivagangai District.

2. When this Writ Petition came up for hearing today, there was no representation for the petitioner. The learned Government Advocate would submit that the second respondent is constructing a school building for the benefit of the children in that area in larger interest and that 75% of the construction is over. He would further submit that the petitioner is disputing the title of the property.

3. It is mentioned in the affidavit of the petitioner that patta has been issued for the said land in the name of a Trustee of Ayyanar Temple, Katchathanallur Village in Patta No.391 on 28.01.1999. If the dispute is with regard to the title, the trustees of the said temple can very well work out their remedy before the appropriate forum. The petitioner is not a trustee of the temple. The building is being constructed for a larger interest of the children studying in the school. The petitioner has come up with this petition with ulterior motive. There is no public interest involved, but the petitioner wants to settle his personal score.

4. In view of the above, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar(CS-I)

/True copy/

Sub Assistant Registrar(CS)

To

1. The District Collector, Sivagangai District, Sivagangai.

2. The Chief Educational Officer, Sivagangai.

3. The Superintending Engineer, Public Works Department,
(Building and Maintenance), Madurai.

4. The Executive Engineer, Public Works Department,
(Building and Maintenance), Sivagangai.

5. The Sub Registrar, Paramakudi, Ramanathapuram District.

+1cc to the Special Government Pleader in SR.56411

W.P.[MD].No.6759 of 2016

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