



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :29.08.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

W.P. (MD) No.6607 of 2011 &

M.P. (MD) .No.1 of 2011

P.Dhanasekar

... Petitioner

vs.

1.The District Collector,
Madurai District, Madurai.

2.The Tahsildar,
Madurai South Taluk,
Collectorate, Madurai.

3.The President,
Thanakkankulam Village Panchayat,
Thirupparankundram Panchayat Union,
Thirunagar, Madurai-625 006.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus forbearing the respondents and their subordinates from removing pedestrian bridges constructed across the channel passing through Survey Nos.25/2, 26/1 and 26/2 Thanakkankulam Village, Madurai South Taluk, Madurai, and implement the Resolution passed by the 3rd Respondent in Resolution No.193, dated 30.05.2008 based on the recommendation made by the Block Development Officer (Village Panchayats), Thiruparankundam, Madurai, in Na.Ka.No.1524/10/Thi 1, dated 18.10.2010.

For Petitioner

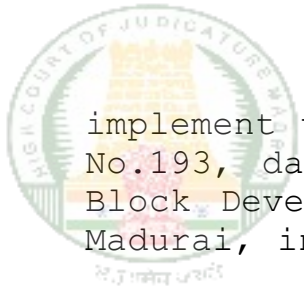
:Mr.K.Sivasenthil Murugan

For Respondent

:Mr.M.Murugan for R1 and R2
Government Advocate
No appearance for R3

O R D E R

The petitioner has filed this Writ Petition to restrain the respondents from removing pedestrian bridges constructed across the channel passing through Survey Nos.25/2, 26/1 and 26/2 Thanakkankulam Village, Madurai South Taluk, Madurai, and



implement the Resolution passed by the 3rd Respondent in Resolution No.193, dated 30.05.2008 based on the recommendation made by the Block Development Officer (Village Panchayats), Thiruparankundam, Madurai, in Na.Ka.No.1524/10/Thi 1, dated 18.10.2010.

2. The petitioner has no right to construct a pedestrian bridge across the channel without obtaining permission from the Authorities. There is no right conferred on the petitioner to call upon the respondents not to remove the pedestrian bridges constructed across the channel. Similarly, there is no legal duty on the part of the respondents to agree not to remove the pedestrian bridges constructed without obtaining permission. The prayer in the writ petition is misconceived.

3. In the result the Writ Petition is dismissed. No costs. Connected miscellaneous petition is closed.

Sd/
Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

To

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Madurai District, Madurai.

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Collectorate, Madurai.

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Thanakkankulam Village Panchayat,
Thirupparankundram Panchayat Union,
Thirunagar, Madurai-625 006.

+1 cc to MR.M.SARAVANAKUMAR, Advocate Sr.No.48168

+1 cc to Special Government Pleader SR.No.48138

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M.P.(MD).No.1 of 2011
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SMA/PV/16/09/2016 :2P/6C