

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.10.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.26100 of 2017
& W.M.P.No.27728 of 2017

R.Natesan

..Petitioner

Versus

1. The Secretary,
Municipal Administration and Water Supply Department,
Fort St. George, Chennai - 600 009.
2. The District Collector,
Cuddalore District, Cuddalore.
3. The Director,
Town Panchayat, Cuddalore.
4. The Assistant Director,
Town Panchayat, Cuddalore.
5. The Executive Officer,
Annamalai Nagar Town Panchayat,
(Special Grade),
Cuddalore District.

..Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorarified Mandaums calling for the records in connection with the G.O. (Pa) No.482, dated 13.09.2010 of Municipal Administration and Water Supply Department and quash the same consequently direct the respondents to restore the original name of the Village as "Thiruvetkalam Adi Dravidar Colony" or "Thiruvetkalam Colony".

For Petitioner : Mr.Syed Anwar Ahmed Hussaini

For RR1 to 4 : Mr.S.Diwakar
Special Government Pleader

For R5 : Mr.D.Selvam, Government Advocate

O R D E R

The petitioner has come forward with this writ petition seeking to call for the records in connection with the G.O. (Pa) No.482, dated 13.09.2010 of Municipal Administration and Water Supply Department and quash the same and consequently

direct the respondents to restore the original name of the Village as "Thiruvetkalam Adi Dravidar Colony" or "Thiruvetkalam Colony".

2. According to the petitioner, the name change from "Thiruvetkalam Adi Dravidar Colony" to "Pulavar Arumuganar Nagar" has been made only to satisfy the desire of the two individuals. There was also a resolution on 17.06.2011 that the existing name should be continued and the name need not be changed. According to the petitioner, based on the request of one Mr. Anbu Gandhi, and Mr. K. Veeramani, president of so-called Dravidar Kazhagam and at their insistence, the Tamil Nadu Government has changed the name.

3. What type of name has to be given to a particular village is an administrative action of the Government and the Court cannot dwell into the administrative action. That apart, it has been pointed out by the learned counsel for the respondents that there was a Public Interest Litigation with regard to change of name of "Pulavar Arumuganar Nagar" situated at Annamalai Nagar Town Panchayat to its original name "Thiruvetkalam Adi Dravidar Colony", which was negatived by the Division Bench of this Court stating that the Court would not entertain such type of litigation under the guise of Public Interest Litigation and the petitioner herein attempted to misuse the concept of Public Interest Litigation. Eventhough, it has been pointed out that there is no observation in the order with regard to the alternative remedy, it has been stated that it is open to the petitioner to approach the Court other than filing of Public Interest Litigation. The oral observation, if any, made cannot be taken note of and that has not formed part of the order. That apart, such decision was taken as early as on 2010 and that the petitioner has approached this Court only in 2012. This Court dismissed the Public Interest Litigation on 17.09.2012 and more than 5 years gone by, the petitioner has now come forward with the very same averments. Hence, I find that there is no merits in this writ petition and this writ petition is liable to be dismissed. Apart from the above fact, the other ground for refusal is that there are averments made against Mr. Anbu Gandhi, and Mr. K. Veeramani and they have not been made as a party to this writ petition. On that score also, the writ petition is liable to be dismissed. The Writ petition is dismissed accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS II)

//True Copy//

Sub Assistant Registrar

To

1. The Secretary,
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and Water Supply Department,
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Chennai - 600 009.
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Annamalai Nagar Town Panchayat,
(Special Grade),
Cuddalore District.

+2cc's to Mr.O.Selvam, Advocate, S.R.No.72283

+1cc to Mr.S.Swaminathan, Advocate, S.R.No.72033

+1cc to the Government Pleader, S.R.No.72674

W.P.No.26100 of 2017
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VGI (CO)
GN(10/11/2017)

सत्यमेव जयते

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