



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 19.09.2017
CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No. 13033 of 2017

P.Ashok Kumar

... Petitioner

Vs.

1. The District Collector,
Madurai District,
Madurai.
2. The Project Director (DRDA),
Madurai District,
Madurai-625 020.
3. The Block Development Officer,
Panchayat Union,
Madurai-625 002.
4. S.K.P.Krishna Sivaji,
Ex-President,
Idaiyapatti Panchayat,
Madurai District.
5. Uma,
Panchayat Secretary,
Idaiyapatti Panchayat,
Madurai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to consider and dispose of our representation dated 05.06.2017 within the stipulated time.

For petitioner	: Mr.T.A.Ebenezer
For R1 & R2	: Mr.M.Govindan Special Government Pleader
For R3	: Mr.T.R.Janardhanan
For R4 & R5	: No appearance

**ORDER**

[Order of the Court was made by **G.R.SWAMINATHAN, J.**]

The writ petitioner alleges that the Anganwadi building constructed by the fourth and fifth respondents out of panchayat funds in Idaiyapatti village is structurally unstable. According to him, the construction is not in order and that it endangers the life and safety of the general public. He therefore, gave a representation, dated 05.06.2017. We directed the respondents to enquire into the matter. The respondents constituted a team comprising of Executive Engineer(RD), Madurai, Executive Engineer, PWD(Buildings), Madurai and the Tahsildar, Madurai North, to inspect the said building, which was constructed under MGNREGS 2015-2016 at Edayapatty village. The team inspected the building and has stated that it is structurally sound and stable. The report submitted by the team is placed on record. It is made clear that since an expert committee was constituted and the said committee has given a report surveying the structural stability of the building, we are not inclined to adjudicate the matter any further. However, it is made clear that if it turns out that the building is structurally unsound, the officials, who gave the aforesaid report before this Court shall be personally held liable and accountable.

2. With these observations, this writ petition stands disposed of. No Costs.

Sd/-

Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar

To

1. The District Collector,
Madurai District,
Madurai.

2. The Project Director (DRDA),
Madurai District,
Madurai-625 020.

+ 1 CC TO MR.T.A.Ebenezer, ADVOCATE IN SR No.79796
MK/KK/SAR-2/25.10.2017/2P/4C

ORDER MADE IN

W.P. (MD) No. 13033 of 2017

19.09.2017