



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.10.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.VENUGOPAL
AND
THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. (MD) No.19017 of 2017

B.Karthee : Petitioner

-Vs-

- 1.The State of Tamil Nadu, Rep. by
The Principal Secretary,
Adi Dravidar and Tribal Welfare Department,
Secretariat,
Fort St. George,
Chennai.
 - 2.The State of Tamil Nadu, Rep. by
The Principal Secretary,
Department of School Education,
Secretariat,
Fort St. George,
Chennai.
 - 3.The District Collector,
Office of the District Collector,
Madurai District.
 - 4.The Warden,
The Government Adi Dravidar Girls Students Hostel,
Paravai,
Madurai District.
- : Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the Respondents to construct new Government Adi Dravidar Girls Hostel at Paravai, Madurai District, within the time stipulated by this Court and consequently, to direct the Respondents to improve the sanitary condition in hygienic manner to the Government Adi Dravidar Girls Students Hostel, Paravai, Madurai District, forthwith.

For Petitioner
For Respondents

: Mr.R.Alagumani
: Mr.T.R.Janarthanan,
Additional Government Pleader

O R D E R

[Order of the Court was made by M.VENUGOPAL, J.]

Heard both sides.

2. According to the Petitioner, he had completed his Master of Social Work Degree as well as he had completed his Bachelor of Law Degree Course. He had read a News Column published in 'Thina Malar' (Tamil Daily) relating to the fate of Government Adi Dravidar Girls Students Hostel, Paravai, Madurai District. The said News Column mentioned that "மாட்டுத் தொழுவம் நடுவே பள்ளி மாணவியர் வீடுதி வீணாகும் ரூ.14 கோடி; and after reading the News, on 19.09.2017, he went to the Hostel and obtained some information.

3. The version of the Petitioner is that around 32 students are residing in Government Adi Dravidar Girls Hostel, Paravai, Madurai District and all are from socially and economically weaker section of the Society. In fact, the rental hostel building is in dilapidated condition, lacking in basic facilities, like adequate toilets, bathrooms, sanitation and kitchen. Furthermore, the sanctioned strength of the Hostel is 50 students, but, only 32 students are residing in the said Hostel and they are not getting the benefits fully.

4. The Adi Dravidar Girls Hostel at Paravai is running in the rental building at Paravai and it is located near cattle housing. The water stagnates in the toilets and there is no 'Waste Disposal System' in the said place. Furthermore, the smell of garbage and a swarm of flies welcome visitors to the said Hostel at Paravai in Madurai District. There is a lone water source and the supply has to be used for washing and drinking. Also that, there are fewer toilets than required and there is no pipe water supply. Other complaints include the poor quality of food, lack of hygiene and security. Sixteen persons stay in a room meant for five people and obviously, there is a overcrowding. That apart, they are herded like cattle, at least 16 students staying in each room. Therefore, all the girl students are mentally depressed and cannot focus on their studies.

5. At this stage of the hearing, the Learned Counsel for the Petitioner points out that the permissible strength of 50 students per Hostel was fixed by the Government and he came to know that the Adi Dravidar Welfare Department on earlier occasion allotted fund for construction of new Hostel building for the Adi Dravidar Girls Students, who are studying in Government Higher Secondary School, Paravai and other Schools. However, till now, no action is taken to build a Hostel and now, the Hostel is running in the rental building.

6. As a matter of fact, the Petitioner on 20.09.2017 narrating the afore-stated facts sent a detailed representation to the



Respondents to make safety to the girl students by way of building new Hostel building and to improve the sanitary condition to the students of Government Adi Dravidar Girls Students Hostel, Paravai, Madurai District. However, his representation was not considered. Hence, he has filed the present Writ Petition before this Court seeking for issuance of a direction to the Respondents to construct new Government Adi Dravidar Girls Hostel at Paravai, Madurai District, within the time to be determined by this Court.

7. In response, the Learned Additional Government Pleader relies on the status report of the District Collector, Madurai District and submits that in respect of the construction of new Hostel, Class Room, Labs, Community Hall for Adi Dravidar and Tribal Welfare High School and Higher Secondary Schools, revised administrative and financial sanction was accorded through G.O.Ms.No.24, Adi Dravidar and Tribal Welfare (ADW2) Department, dated 24.02.2016.

8. Advancing his arguments, the Learned Additional Government Pleader appearing for the Respondents proceeds to point out that for construction of Government Adi Dravidar Girls Hostel at Paravai, Rs.114.40 Lakhs was sanctioned and that the Tamil Nadu Adi Dravidar Housing and Development Corporation (TAHDCO) is undertaking to construct the Adi Dravidar Welfare Hostel and the said Hostel is to be constructed in S.No.50/4B2 in Paravai Village, Madurai North Taluk. On 21.06.2017, as per proceedings in Na.Ka.No.Y2/50997/2016, permission was accorded to enter upon the site to TAHDCO. On 25.07.2017, the Revenue Department had handed over the site to TAHDCO.

9. It comes to be known that the estimate for building construction was submitted by the Executive Engineer, TAHDCO before the General Manager (Technical), TAHDCO, Chennai, as per Proceedings dated 19.09.2017. Further, on 21.10.2017, the present building, in which, currently, the Hostel is being run, was inspected by the Special Tahsildar (LA), Adi Dravidar Welfare Unit-II and a report was submitted before the District Revenue Officer, Madurai.

10. Suffice it for this Court to point out that in the status report of the third Respondent/District Collector, Madurai, it is mentioned at Paragraph No.6 that 'the work will be commenced within a month time and the construction will be positively completed, within a period of ten months as reported by TAHDCO'. Further, it is also mentioned in the status report of the third Respondent/District Collector, Madurai that 'in the meantime, the present temporary Hostel will be maintained properly, garbage which has been left by private parties in adjacent patta lands will be removed and the surroundings of the Hostel will be kept



11. In view of the foregoing and recording the contents seen from the Status Report of the third Respondent/District Collector, Madurai, this Court opines that nothing survives for further adjudication in the subject matter in issue. Accordingly, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CSI)

/True Copy/

Sub-Assistant Registrar

To

1.The Principal Secretary,
State of Tamil Nadu,
Adi Dravidar and Tribal Welfare Department,
Secretariat, Fort St. George, Chennai.

2.The Principal Secretary,
The State of Tamil Nadu,
Department of School Education,
Secretariat,
Fort St. George,
Chennai.

3.The District Collector,
Office of the District Collector,
Madurai District.

4.The Warden,
The Government Adi Dravidar Girls Students Hostel,
Paravai,
Madurai District.

+One cc to Mr.R.Alagumani, Advocate, SR.No.84489

+One cc to The Special Government Pleader, SR.No.84646

SML

RL/7C/4P/KK/SAR1/10/11/2017

Order made in

W.P.(MD)No.19017 of 2017