



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 14.07.2017

CORAM :

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

and

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.2746 of 2017

and

W.M.P(MD).No.2277 of 2017

M.Ganesan

... Petitioner

vs.

1.The District Collector,
Madurai, Madurai District.

2.The Block Development Officer,
Thirupparankundram Panchayat Union,
Thirunagar, Madurai, Madurai District.

3.The Special Officer,
Thanakkankulam Panchayat,
Thanakkankulam,
Madurai District.

4.K.Vadivelu
(R4 is impleaded vide Court order,
dated 17.03.2017 in
WMP(MD).No.3354 of 2017)

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, restraining the respondents 1 to 3 herein by themselves and through their men and agent from demolishing the compound wall in S.No.64/3 around the Government Kallar High School at Thanakkankulam, Madurai District.

For Petitioner	: Mr.J.C.Rathnavel Pandian
For Respondents	: Mr.M.Govindan, Spl.G.P for R1 to R3 Mr.P.T.S.Narendravasan for R4

O R D E R

(Order of the Court was made by G.R.SWAMINATHAN, J)

The writ petitioner has filed this writ petition in public interest seeking a direction for restraining the official respondents 1 to 3 from demolishing the compound wall in Survey No.64/3 around the Government Kallar High School in Thanakkankulam, Madurai District.

2. Since allegations have been made that the fourth respondent is behind the demolishing raid, he was directed to be made as a party.



3.We heard the learned counsel for the petitioner as well as the official respondents and also the fourth respondent.

4.It is seen that the Government Kallar High School itself is located in a Oorani. That is why this Court in its order dated 30.01.2017 in W.P(MD).No.1410 of 2017 filed by the fourth respondent herein directed that the Oorani in survey No.64/3, Thanakkankulam Village should not be converted as a play ground.

5.Be that as it may, the Government School is already in existence in the said survey number for several years. On the very nature of things a compound wall is required for protective purpose. Therefore, the Government rightly put up a compound wall around the school. All that the writ petitioner seeks is that the compound wall should not be demolished. The official respondents have stated that there is no proposal to demolish the said compound wall. We place on record the said submission.

6.It appears that there is a proposal to form a gate in the compound wall. No exception can be taken to that effect. Even while directing that the compound wall should not be demolished except for forming a gate, we also direct that the Oorani should not be converted into a play ground as already held in W.P(MD).No.1410 of 2017.

7.This writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

The District Collector,
Madurai, Madurai District.

+1cc to Mr.R.VIJAYAKUMAR Advocate in SR. No.65556

+1cc to Mr.P.T.S.NARENDRAVASAN Advocate in SR. No.65512

SKM/ARUL

JS/GT/SAR.2/2.8.2017/2P-4C

W.P(MD)No.2746 of 2017
and

W.M.P(MD).No.2277 of 2017
14.07.2017