



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.11.2016

CORAM:

**THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
AND
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN**

W.P.[MD].No.14135 of 2016

K.Ponnaiah

.. Petitioner

Vs.

- 1.The Principal Secretary to Government,
rep. by the Government of Tamil Nadu,
Revenue Department, Secretariat,
Chennai - 600 009.
- 2.The Secretary to Government,
rep. by the Government of Tamil Nadu,
School Education Department,
Secretariat, Chennai - 600 009.
- 3.The Additional Chief Secretary to Government
and Commissioner of Land Administration,
Ezhilagam, Chepauk,
Chennai - 600 005.
- 4.The District Collector,
Theni District,
Theni.
- 5.The Chief Educational Officer,
Theni, Theni District.
- 6.The Revenue Divisional Officer,
Uthamapalayam,
Theni District.
- 7.The Tahsildar,
Taluk Office,
Uthamapalayam,
Theni District.



8.The Headmaster,
Government High School,
Seppalakottai,
Uthamapalayam Taluk,
Theni District.

9.The President,
Village Panchayat,
Uthamapalayam Taluk,
Theni District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1, 3 and 4 to take appropriate action for assignment of land for the purpose of playground and for construction of new buildings for upcoming class rooms to the 8th respondent Government High School from out of the Village Natham lands lying vacant and free from encroachment as informed by the 7th respondent in his letter O.Mu.No.12056/14/A2, dated 01.10.2014, by considering the petitioner's representation dated 19.10.2015 within a stipulated time.

For Petitioner : Mr.K.Ponnaiah
Party-in-person

For respondents 1 to 8 : Mr.T.R.Janarthanam,
Addl. Government Pleader

For 9th respondent : No appearance

O R D E R

[Order of the Court was made by S.NAGAMUTHU, J.]

The petitioner is an advocate and a resident of Madurai. In Uthamapalayam Taluk, Theni District, there is a Government High School at Seppalakottai Village, Uthamapalayam Taluk. The said school is situated in Survey No.283/1. Now, the same has been subdivided as R.S.Nos.283/1, 283/2 and 283/3. The portion, where the building of the school was constructed, has been resurveyed as R.S.No.283/2. The petitioner made a representation on 19.10.2015 to the respondents to construct additional building for the school in these three resurvey numbers viz., R.S.Nos.283/1, 283/2 and 283/3. Since the same has not been considered so far by the respondents, the petitioner has come up with this writ petition.

2.Having regard to the above grievance, we are of the view that we cannot issue any possible direction to the respondents to construct the school buildings in a particular survey number, because it involves lot of issues like, financial issue, ~~survey issue, etc.~~, At the most, we can only issue a direction to the fifth respondent to consider the said representation of the petitioner dated 19.10.2015.



3. Accordingly, without going into the merits of the allegations made, we dispose of this Writ Petition with a direction to the fifth respondent to consider the representation of the petitioner dated 19.10.2015 and to take appropriate decision. No costs.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub-Assistant Registrar

To

1. The Principal Secretary to Government,
rep. by the Government of Tamil Nadu,
Revenue Department, Secretariat, Chennai - 600 009.
2. The Secretary to Government,
rep. by the Government of Tamil Nadu,
School Education Department,
Secretariat, Chennai - 600 009.
3. The Additional Chief Secretary to Government
and Commissioner of Land Administration,
Ezhilagam, Chepauk, Chennai - 600 005.
4. The District Collector, Theni District, Theni.
5. The Chief Educational Officer, Theni, Theni District.
6. The Revenue Divisional Officer,
Uthamapalayam, Theni District.
7. The Tahsildar, Taluk Office, Uthamapalayam,
Theni District.
8. The Headmaster, Government High School,
Seppalakottai, Uthamapalayam Taluk,
Theni District.

+One cc to Mr.K.Ponnaiah, Party-in-Person, SR.No.72331

+One cc to The Special Government Pleader, SR.No.72694

gcg

RL/11C/3P/SKN/29.12.2016

Order made in
W.P. [MD].No.14135 of 2016

24.11.2016