

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 25.10.2017

CORAM:

THE HONOURABLE MS.INDIRA BANERJEE, CHIEF JUSTICE**AND****THE HONOURABLE MRS.JUSTICE J.NISHA BANU**

W.P (MD) No.242 of 2016

and

W.M.P. (MD) .No.178 of 2016

A.Ayyadurai

... Petitioner

Vs.

1.The Director of Town Panchayats,
Kuralagam, Chennai-108.

2.The Executive Officer,
Seithur Selection Grade Town Panchayat,
Seithur-626 121,
Virudhunagar District.

3.Dhanuskodi,
Executive Officer,
Chettiyarpatti Town Panchayat,
Chettiyarpatti,
Dhalavaipuram,
Rajapalayam via,
Virudhunagar District.

4.K.Guhani

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 and 2 to implement the Seithur Selection Grade Town Panchayat's Council Resolution No.933 dated 28.09.2015 within a stipulated time that may be fixed by this Court and permitting the general public from using the Public Toilets and Bus-stand Public Toilet at free of cost in Seithur Selection Grade Town Panchayat, Virudhunagar District.

For Petitioner	: Mr.M.Saravanakumar for Mr.V.Balaji
For R.1&2	: Mr.R.Karthikeyan Additional Government Pleader
For R.3	: No appearance
For R.4	: Mr.R.Nireshkumar

**ORDER**

(Order of the Court was made by
the Hon'ble Chief Justice)

By consent, the writ petition itself is taken up for final disposal.

2. This writ petition has been filed by way of 'Public Interest Litigation' seeking orders on the respondents to implement Seithur Selection Grade Town Panchayats Council Resolution No.933, dated 28.09.2015 within a stipulated time and to permit the general public to use the Public Toilets and Bus-stand Public Toilet free of cost in Seithur Selection Grade Town Panchayat, Virudhunagar District.

3. Public toilets with unrestricted access are absolutely essential for maintaining standards of hygiene and preventing defecation in streets, pavements and vacant areas. Apart from the burden on the economically disadvantaged, payment for use of all public toilets would be inconvenient for others as well who may not be carrying cash and/or the exact amount of change. For example, it would be virtually impossible for a potential user to get quick change may be for a Hundred Rupee note or a Fifty Rupee note to pay one or two rupees by way of charges for use of toilet. While some public toilets may be made paid toilets, all public toilets cannot be made paid toilets. There should be public toilets, including public toilets in the bus stand for ladies and for gentlemen, free of any charge. This will not prevent the authorities concerned from reserving some toilets for use on payment to raise funds for maintenance of those and other toilets.

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

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

1.The Director of Town Panchayats,
Kuralagam, Chennai-108.

2.The Executive Officer,
Seithur Selection Grade Town Panchayat,
Seithur, Virudhunagar District.



3.The Executive Officer,
Chettiyarpatti Town Panchayat,
Chettiyarpatti,
Dhalavaipuram,
Rajapalayam via,
Virudhunagar District.

+ 1 cc TO Mr.V.Balaji , Advocate in SR No. 83619
+ 1 cc TO The Special Government Pleader in SR No. 83848

ssm/jikr
AE/KP/SAR4/02.11.2017/3P/6C

**ORDER MADE IN
W.P (MD) No.242 of 2016
25.10.2017**