



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.08.2017

CORAM :

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

W.P (MD) No.5692 of 2016

N.G.Ramadurai

... Petitioner

Vs.

- 1.The District Collector,
Collector Office,
Thanjavur District.
- 2.The Block Development Officer,
Block Development Office,
Thiruvidaimaruthur,
Thanjavur District.
- 3.The Executive Engineer,
Public Works Department,
Public Works Department Office,
Thanjavur District.
- 4.The President,
No.68, Koogur Panchayat,
Kumbakonam Taluk,
Thanjavur District.

... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the first respondent to consider the petitioner representation dated 24.02.2012 and consequently direct the third respondent not to make any new construction by way of demolishing existing Primary Health Centre situated at Koogur Panchayat, Kumbakonam Taluk, Thanjavur District.

For Petitioner : Mr.T.R.Subramanian

For Respondents : Mr.M.Govindan,
Special Government Pleader

**O R D E R**

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

This writ petition has been filed in public interest.

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2.The case of the petitioner is that the authorities have proposed to construct a veterinary hospital in the place of the existing building which is used as a Primary Health Centre. According to the writ petitioner, the said primary health centre has been in existence for more than 40 years. He has therefore given a representation dated 24.02.2016 in this regard. His prayer is that the primary health centre should not be demolished and that the authorities should be restrained from putting up any veterinary hospital in the said place.

3.This writ petition was filed in March 2016. There was no grant of interim order. When the matter was taken up for final disposal, the learned Special Government Pleader informed this Court that the construction is already over. The village panchayat had passed a resolution in this regard way back in the year 2013. Government had issued G.O proposing the construction of as many as 193 veterinary dispensaries. Based on the proceedings dated 16.02.2016 and 19.03.2016 issued by the Deputy Director, Veterinary Department, tenders were floated for a sum of Rs.21.00 lakhs. Following the award of tender, the construction of building was entrusted to a contractor and the building has since been completed. It is also now in use. Therefore, this writ petition has become substantially infructuous.

4.The prayer of the writ petitioner is that the authorities must look into the issue of continuing the running of primary health centre. He had already given a representation in this regard. This Court therefore directs the first respondent to consider the petitioner's representation dated 24.02.2016 and pass appropriate orders. As regards constructing a new building for use as a public health centre for Koogur panchayat, the first respondent shall pass appropriate orders in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

5.This writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar



To

1.The District Collector,
Collector Office,
Thanjavur District.

2.The Block Development Officer,
Block Development Office,
Thiruvidaimaruthur,
Thanjavur District.

3.The Executive Engineer,
Public Works Department,
Public Works Department Office,
Thanjavur District.

4.The President,
No.68, Koogur Panchayat,
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Thanjavur District.

+3cc to Mr.T.R.SUBRAMANIAN Advocate in SR. No. 74983

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 75367

SKM

JS/JC/SAR.1/11.12.2017/3P-9C

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