

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :19.06.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.7663 of 2015
and MP.No.2 of 2015

A.Subramani

..Petitioner

vs

1.The District Collector,
Tiruvannamalai District,
Tiruvannamalai.

2.The District Revenue Officer,
Tiruvannamalai District,
Tiruvannamalai.

3.The Revenue Divisional Officer,
Cheyyar,
Tiruvannamalai District.

4.The Thasildar,
Vandavasi Taluk,
Vandavasi,
Tiruvannamalai District.

5.The Director,
Public Libraries,
Anna Salai,
Chennai-600 002.

6.The District Library Officer,
Tiruvannamalai District,
Tiruvannamalai.

7.K.Jayaraman
(R7, Impleaded as per order dated 16.02.2017
by MSJ in M.P.No.3 of 2015
in W.P.No.7663 of 2015)

..Respondents

Prayer: Writ Petition filed under Article 226 of the
Constitution of India praying to issue a Writ of Certiorarified
Mandamus to call for the records of the 1st respondent in his

proceedings Aa3/8316/2013 dated 05.01.2015 and quash the same and further direct the respondents consider the representation of the petitioner dated 13.02.2015.

For Petitioner : Mr.B.Jawahar
For R1 to R6 : Mr.A.Sri Jayanthi
Special Government Pleader

For R7 : Mr.T.V.G.Karthiban

O R D E R

The order of the first respondent in his proceedings Aa3/8316/2013 dated 05.01.2015 allotting a land for construction of Branch Library in "Natham Porampoke" is under challenged in this writ petition.

2. The writ petitioner claims that he is a resident of Chitharugavur Pudur Village, Vandavasi Taluk, Tiruvannamalai District. The learned counsel appearing on behalf of the petitioner states that the said village consists of 1,800 enrolled people, 1200 voters and 500 houses. The average users of the said Branch Library is about 200 persons per day. The School going children are also utilising the Branch Library for their educational purposes.

3. The learned counsel appearing for the petitioner further contented that the place identified by the District Collector in the impugned proceedings dated 05.01.2015, is not at all useful for the villagers. Contrarily, if the Branch Library is constructed nearby the school, it will be more beneficial to the students and the villagers.

4. However, this Court cannot interfere with the Administrative Policy. taken by the District Administration in this regard. The construction of Branch Library is an administrative decision taken by the authorities and if at all the villagers are aggrieved, they have to approach the District Collector and other concerned authorities in the manner known to law. When a Policy Decision to construct the Branch Library is taken by the District Administration, courts cannot decide which place will be more suitable or which place would be more beneficial to the villagers. All these aspects shall be considered by the competent authorities while taking a decision. If at all large number of people are aggrieved, then it is left open to the authorities to reconsider the decision already taken.

5. However, Courts cannot interfere in such matters in respect of construction of Branch Library in a particular village or otherwise. The decision is taken by the District

Collector and the land was allotted for construction. The writ petitioner being a villager is challenging the said order passed by the District Collector.

6. Thus, this Court is of an opinion that the writ petitioner cannot be an aggrieved person, if at all he wishes to fight in the interest of public, it is left open to him to approach the competent authority for the redressal of the grievances. Contrarily, this Court cannot issue a direction to change the place or allotment already made for the construction of Branch Library.

7. With these observations, the Writ Petition stands dismissed. Consequently, connected miscellaneous petition is closed. However, there shall be no order as to costs.

lok/stm

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To

- 1.The District Collector,
Tiruvannamalai District,
Tiruvannamalai.
- 2.The District Revenue Officer,
Tiruvannamalai District,
Tiruvannamalai.
- 3.The Revenue Divisional Officer,
Cheyyar,
Tiruvannamalai District.
- 4.The Thasildar,
Vandavasi Taluk,
Vandavasi,
Tiruvannamalai District.
- 5.The Director,
Public Libraries,
Anna Salai,
Chennai-600 002.

6.The District Library Officer,
Tiruvannamalai District,
Tiruvannamalai.

+lcc to Government Pleader SR.No.38691

GJII(CO)
sm:2.7.2018

W.P.No.7663 of 2015



WEB COPY