



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.01.2018

CORAM:

THE HONOURABLE MR.JUSTICE **M.SATHYANARAYANAN**
and
THE HONOURABLE MRS.JUSTICE **R.HEMALATHA**

W.P (MD) No.22363 of 2017
and
W.M.P (MD) No.18668 of 2017

H.Sathick Batcha

.. Petitioner

Vs.

1. The District Collector,
Office of the District Collector,
Pudukottai District.

2. The Additional Director,
Town Panchayats,
3rd Floor, Trichy Collector Office Campus,
Trichy.

3. The Executive Engineer,
Public Works Department,
Pudukottai District.

4. The Executive Officer,
Office of the Executive Officer,
Karambakkudi Town Panchayat,
Pudukottai District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to demolish the old and dilapidated Karambakkudi Bus Stand building and to construct a new bus stand in Karamabakudi Town in Pudukottai District as expeditiously as possible.

For Petitioner

: Mr.S.Malaikani

For Respondents 1 to 3

: Mr.M.Murugan,
Government Advocate.

For Respondent No.4

: No appearance

**ORDER**

[Order of the Court was made by **M. SATHYANARAYANAN, J.**]

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

2.Mr.M.Murugan, learned Government Advocate, appears on behalf of the respondents 1 to 3.

3.This writ petition is filed as a Public Interest Litigation by a resident of Karambakkudi, Karambakkudi Post and Taluk, Pudukkottai District and according to him, in Karambakkudi Bus Stand, an old dilapidated structure exists and it is being maintained by the fourth respondent and the condition of the building is so bad and is likely fallen down at any moment and in that event, there is likelihood of casualty as well as grievous injuries to the persons and in this regard, the petitioner has submitted a representation, dated 06.11.2017, to the respondents 1 to 4 and though the said representation was received and acknowledged by the respondents, no action has been taken so far to pull down or effect repair works and therefore, he came forward to file this writ petition.

4.The learned counsel appearing for the petitioner has drawn the attention of this Court to the additional typed-set of papers containing photographs and would submit that the building is in such a dilapidated condition and it is likely fallen down at any moment, which may result in serious consequences and though the said fact has been brought to the knowledge of the concerned respondents, no action has been taken so far and left with no other option, the petitioner is constrained to approach this Court, by filing this writ petition.

5.The learned Government Advocate appearing for the respondents 1 to 3 would submit that the building is under lock and seal and a warning sign board has been put up as to the dilapidated condition of the building with an advice, not to enter inside the building and steps would be taken to redress the grievance of the petitioner.

6.This Court has considered the rival submissions and perused materials available on record.

7.Admittedly, the building in question is in a dilapidated condition and it is also admitted by the learned Government Advocate appearing for the respondents 1 to 3 that lock and seal has also been put up in the building with a warning sign, not to enter inside the building. Thus, it *prima facie*, appears that the building is in a dilapidated condition. In the light of the above facts and circumstances of the case, this Court directs the fourth



respondent with the help of the third respondent, shall cause inspection on the building in question, within a period of two weeks from the date of receipt of a copy of this order and depending upon the result of the same, shall take immediate and necessary steps, either to pull down the building or effect proper repairs, to make the building as a habitual one and such exercise is to be carried out within a further period of eight weeks from the date of inspection of the building and inform the decision taken, to the petitioner.

8. The writ petition stands disposed of accordingly. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
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Pudukottai District.
2. The Additional Director,
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3. The Executive Engineer,
Public Works Department,
Pudukottai District.
4. The Executive Officer,
Office of the Executive Officer,
Karambakkudi Town Panchayat,
Pudukottai District.

+ 1 cc TO Mr.S.Malaikani , Advocate in SR No. 41005
+ 1 cc TO The Special Government Pleader in SR No. 40894

smn

AE/SV MMS/SAR1/19.01.2018/7C/3P

ORDER MADE IN
W.P(MD) No.22363 of 2017
and
W.M.P(MD) No.18668 of 2017
05.01.2018