



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.01.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN
AND
THE HONOURABLE MRS.JUSTICE R.HEMALATHA

W.P (MD) No.14582 of 2016

D.Jagadeesh Rajan ... Petitioner

Vs.

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Revenue Divisional Officer,
Cheranmahadevi Sub-Division,
Cheranmahadevi,
Tirunelveli District.

3.The Tahsildar,
Radhapuram Taluk,
Radhapuram,
Tirunelveli District.

4.The President,
Levinchipuram Village Panchayat,
Levinchipuram,
Radhapuram Taluk,
Tirunelveli District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to demolish the dilapidated building situated in new Survey No.1421/9 (old Survey No.849) of Levinchipuram Village, Radhapuram Taluk, Tirunelveli District and remove the debris immediately, consequently direct the authorities to utilize the vacant site for other public purposes.

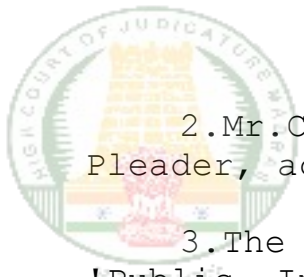
For Petitioner : Mr.S.Balamurugan
For RR 1 to 3 : Mr.C.M.Marichelliah Prabhu,
Additional Government Pleader.

ORDER

(Order of the Court was made by M.SATHYANARAYANAN,J.)

<https://hcservices.ecourts.gov.in/hcservices/>

By consent, the Writ Petition itself is taken up for final disposal.



2.Mr.C.M.Marichelliah Prabu, learned Additional Government Pleader, accepts notice on behalf of the respondents 1 to 3.

3.The petitioner has filed this writ petition styled as a 'Public Interest Litigation' stating among other things that Levinchipuram Village originally was in the border of the States of Tamil Nadu and Kerala before 50 years. Now, it is a border Village of Tirunelveli and Kanyakumari District. In the said Village, on the land in which new Survey No.1421/9 (old S.No.849), a check post was constructed to inspect and verify the goods, which are going from State of Tamil Nadu to Kerala and vice versa and due to efflux of time, the check post was abandoned and it has been shifted to some other place and nearby the said check post an 'Anganvadi Centre' is situated, wherein more than 50 tender aged children were taken care.

4.The grievance expressed by the petitioner is that 50 tender aged children, who were put in the Anganvadi building, had access to the said check post, which was in a dilapidated condition and in this regard, the petitioner has submitted a representation, dated 02.11.2015 and it was also followed by the reminder, dated 25.06.2016 and inspite of receipt and acknowledgment, no action has been taken and hence, the petitioner came forward to file this Writ Petition.

5.Heard the submissions of Mr.C.M.Marichelliah Prabhu, learned Additional Government Pleader appearing for the respondents 1 to 3.

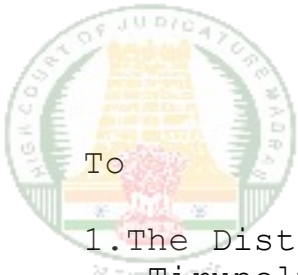
6.This Court, taking into consideration the above facts and circumstances, directs the second respondent to cause inspection of the building, located in new Survey No.1421/9 (old S.No.849) of Levinchipuram Village, Radhapuram Taluk, Tirunelveli District, within a period a period of four weeks from the date of receipt of a copy of this order and depending upon the result of the inspection, shall take immediate and necessary steps in accordance with law and communicate the decision taken to the petitioner within a period of six weeks thereafter. The second respondent is also directed to file a status report before this Court on 19.03.2018.

7.The Writ Petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar(Writs)

/True Copy/



To

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Revenue Divisional Officer,
Cheranmahadevi Sub-Division,
Cheranmahadevi,
Tirunelveli District.

3.The Tahsildar,
Radhapuram Taluk,
Radhapuram,
Tirunelveli District.

W.P (MD) No.14582 of 2016
22.01.2018

PS/VSG
JM/SKN RSK/SAR 3/31.01.2018/3P/4C