

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2019

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.1653 of 2019

and

W.M.P.No.1851 of 2019

Rayan Exports,
Rep. by its Proprietor,
P.Thimmarayan,
S/o.Pethappa Chetty
10, 1st Cross, Co-operative Colony,
Krishnagiri - 635 001. Petitioner

Vs

1. Government of Tamil Nadu
Rep. by its Secretary to Government
Industries Department
Fort St.George, Chennai -9.
2. District Education Officer,
School Education, Mathur
Pochampalli Taluk,
Krishnagiri District - 635 203.
3. Government High School,
Alerhalli Village, Kalarpathi Post,
Pochampalli Taluk,
Krishnagiri District. ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the 1st and 2nd respondents from sanctioning permission for construction of any commercial/industrial/educational premises in Government Poramboku land in Survey No.33 situated at Allearahalli Village, Pochampalli Taluk, Krishnagiri.

For Petitioner : Mr.V.Lakshminarayanan

For Respondents: Mr.E.Balamurugan,
Special Government Pleader for R1
Mr.C.Munusamy,
Special Government Pleader (Education)
for R2 and R3.

O R D E R

The petitioner seeks for a Mandamus, forbearing the 1st and 2nd respondents from sanctioning permission for construction of any commercial/industrial/educational premises in Government Poramboku land in Survey No.33 situated at Allearahalli Village, Pochampalli Taluk, Krishnagiri District.

2. It is claimed by the petitioner that they are running a quarry and therefore, granting permission to construct a building adjacent to the quarry land would pose danger to the neighbour.

3. The learned Special Government Pleader, based on instructions, submitted that already an order dated 11.11.2018 is passed by the District Collector, Krishnagiri, granting permission to put up a School in the disputed site. He has also produced a copy of the said communication. If that be the case, it is for the petitioner to workout his remedy against the said order in a separate proceedings. Granting such liberty, this Writ Petition is disposed of without expressing any view on the merits of the claim made by the respective parties. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

gsi/vsi
To

Sub Assistant Registrar

1. The Secretary to Government
Government of Tamil Nadu
Industries Department
Fort St.George, Chennai -9.
2. District Education Officer,
School Education, Mathur
Pochampalli Taluk, Krishnagiri District - 635 203.
3. Government High School,
Alerhalli Village, Kalarpathi Post,
Pochampalli Taluk, Krishnagiri District.

+1 cc to M/s.V.Raghavachari, Advocate, S.R.No.10661

+1 cc to the Government Pleader, S.R.No.11349

MP(CO)
SSM(22/02/2019) .

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