

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.9604 of 2020 and
W.M.P.No.11737 of 2020

A.Sivasami

...Petitioner

Vs.

1.The District Collector,
Salem Collectorate,
Salem District.

2.The Block Development Officer,
Panchayet Union Office,
Valapady, Salem 636 115.

...Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Mandamus directing the respondents to consider the petitioner's representation dated 15.06.2020 consequently forbearing the respondents from constructing Public Toilet adjacent to the property at S.No.170/2A2, Thirumannur village, Salem District and pass orders.

For Petitioner : Mr.Kirpakaran Anantharaman for
Mr.C.Mohanraj

For Respondents : Mr.E.Balamurugan
Special Government Pleader

O R D E R

This writ petition has been filed for the issue of Writ of Mandamus directing the respondents to consider the representation made by the petitioner on 15.06.2020 and forbear from constructing a Public Toilet adjacent to the property belonging to the petitioner.

2.The learned Special Government Pleader appearing on behalf of the respondents submitted that the property in question belongs to the Government and it was based on the decision taken by the District Collector that the work is being done.

3.The learned counsel for the petitioner submitted that the petitioner is not disputing the fact that the property in question belongs to the Government. However, the objection

raised by the petitioner is that a Public Toilet is now sought to be constructed very adjacent to the property of the petitioner and according to the petitioner, this is being done on the pressure exerted by some local politicians.

4.This court has carefully considered the submissions made on either side and materials available on record.

5.Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in this writ petition, there shall be a direction to the first respondent to consider the representation made by the petitioner on 15.06.2020 and take action in accordance with law. The first respondent shall take a decision on the objection made by the petitioner within a period of two weeks from the date of receipt of a copy of this order.

6.The petitioner is directed to make a fresh representation to the first respondent along with a copy of this order.

7.This writ petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

vkr

To

1.The District Collector,
Salem Collectorate,
Salem District.

2.The Block Development Officer,
Panchayet Union Office,
Valapady, Salem 636 115.

3.The Government Pleader,
High Court, Madras.

+1cc to the Government Pleader, S.R.No.25397

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BR(CO)
KKV/07/08/2020