



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.08.2020

CORAM:

THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR

W.P. (MD)No.16404 of 2019

Khadariya Oriental Nursery & Primary School,
Rep. by its Correspondent,
Kamardeen,
S/o.Mubarak Ali,
Door No.8, Palaiya Poonjai Mettu Street,
South Gate,
Madurai-625 001.

... Petitioner

Vs.

The General Manager,
Bharath Sanchar Nigam Limited,
East Masi Street,
Madurai.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to remove the BSNL telephone junction box in front of KONP School situated at 188, South Veli Street, South Gate, Madurai.

For Petitioner
For Respondent

:Mr.R.Venkatesan
:Mr.K.Govindarajan
Standing Counsel

ORDER

The petitioner seeks for a direction to the respondent to remove the BSNL telephone junction box in front of KONP School situated at 188, South Veli Street, South Gate, Madurai.

2.The learned counsel appearing for the petitioner would submit that the respondent installed BSNL telephone junction box in front of KONP School situated at 188, South Veli Street, South Gate. Due to installation of BSNL telephone junction box, accident had taken place in the aforesaid address. Therefore, the petitioner made a representation to the respondent on 07.05.2015 for removal of the BSNL telephone junction in front of KNOP School. Thereafter, several representations were given. Till date, no action is taken. Hence, the petitioner has filed this petition before this Court.

3.The learned counsel appearing for the respondent, on instructions submits that if the petitioner may remit a sum of Rs.89,680/- including GST amount to the respondent, appropriate orders will be passed for shifting the BSNL telephone junction box to some other place.



4.The learned counsel appearing for the petitioner would submit that the petitioner is ready to pay a sum of Rs.89,680/- including GST amount to the respondent and seeks three weeks time for payment of the said amount.

5.Considering the present situation, this Court is of the view that three weeks time is granted to the petitioner to pay a sum of Rs.89,680/. If the said amount is paid within three weeks by the petitioner, the respondent has to pass appropriate order for shifting the BSNL telephone junction box to some other place, as early as possible, preferably, within a period of eight weeks thereafter.

6.With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Rmi

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

The General Manager,
Bharath Sanchar Nigam Limited,
East Masi Street,
Madurai.

+1 CC to M/s.K. GOVINDARAJAN, Advocate (SR-14301[F] dated 18/08/2020)

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KB(25.08.2020) 2P 3C