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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.09.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.NO.18848 OF 2021

K.Nagamani

... Petitioner

.Vs.

1. The District Rural Development
and Panchayatraj,
Amoor Village and Post,
Ponneri Taluk - 601 204,
Tiruvallur District.
2. The District Collector,
Tiruvallur District.
3. The Revenue Divisional Officer,
Ponneri Taluk - 601 204.
4. The Block Development Officer,
Sholavaram - 600 067,
Tiruvallur District.
5. The Panchayat President,
Amoor Village and Post,
Ponneri Taluk - 601 204,
Tiruvallur District.

... Respondents

PRAYER:-

Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to consider the representation of the petitioner dated 15.07.2021 and take suitable action on it and decide the same after affording sufficient opportunity to the petitioner.

For the Petitioner : Mr.V.Surya Sankar
For Ms.R.Lavanya

For the Respondents : Mr.P.Muthukumar
State Government Pleader



ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

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The petition brought in public interest complains of the respondents' move to relocate a school to a place which would involve the children crossing a six-lane highway twice a day.

2. The school has to be relocated from the original site because a substantial part of its land was acquired in constructing the Chennai Pheripheral Ring Road from Ennore to Bangalore. The District Collector, Tiruvallur, has apparently allocated a sum in excess of Rs.15 lakh for the construction of the Sholavaram Panchayat Union Adidraavidar Primary School at Amoor Colony, but the petitioner says that the proposed site is more than a kilometer from the Amoor colony residential area and it would involve the children crossing the busy highway twice a day.

3. In matters of the present kind, the Court hardly has the expertise to find a solution except to indicate that the safety and the interest of the children must be borne in mind while choosing a site and setting up a new school. One possibility could be by requiring the district officials to consider whether a foot over-bridge may be suitably placed so that the children do not have to cross the highway.

4. Since it appears that a lot of thought may have already gone into choosing the site, it may not be appropriate at this stage to disrupt the reconstruction project and require an alternative site to be chosen.

5. However, since it involves a primary school and members of a backward community, the District Collector, Tiruvallur is requested to look into the details and suggest appropriate measures so that the school can be reconstructed as expeditiously as possible, preferably within the next eight months, and the safety and security of the children while attending the school are not compromised.

6. W.P.No.18848 of 2021 is disposed of. There will be no order as to costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar



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To

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+lcc to Ms.R.Lavanya, Advocate, S.R.No.45158

W.P.NO.18848 OF 2021

SRA(CO)
PBS/13/09/2021