

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2021

CORAM :

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

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.17942 of 2020

G.Radha

.. Petitioner

-vs-

1.The State of Tamil Nadu,
rep. by its Secretary,
School Education Department,
Fort St. George,
Chennai - 600 009.

2.The District Collector,
Kancheepuram District.

3.The Chief Education Officer,
Kancheepuram District.

4.The Tahsildar,
Kancheepuram District.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus forbearing the respondents from putting up any construction in the water course body in Survey No.618 at Govindhavadi Village, Kancheepuram Taluk and District, and consequently direct the respondents to construct a new Higher Secondary School Building in Survey No.152/2 at Govindhavadi Village, Kancheepuram Taluk and District.

For Petitioner

: Mr.K.Selvaraj

For Respondents

: Mr.C.Munusamy
Spl. Government Pleader
for respondent Nos.1 and 3

: Mr.V.Jayaprakash Narayanan
State Government Pleader
for respondent Nos.2 and 4

ORDER

(Order of the Court was made by Senthilkumar Ramamoorthy, J.)

This writ petition pertains to the alleged encroachment in a waterbody in Survey No.618 at Govindhavadi Village, Kancheepuram Taluk and District. The writ petitioner complains that the respondents are illegally putting up a Higher Secondary School in the waterbody. He further states that a representation was given in this regard on 23.11.2020, but no action has been taken thereon.

2. In several cases of this nature, this Court observed that unless the matter involves significant impact on the larger public interest, public interest litigation of this nature could not be entertained.

3. Accordingly, without examining the merits of the representation dated 23.11.2020, the second respondent is directed to dispose of the same by a speaking order within a period of six weeks from the date of receipt of a copy of this order, after providing a reasonable opportunity to the affected parties. In the event the petitioner is aggrieved by such decision, it is open to the petitioner to pursue her remedies in accordance with law, otherwise than by a public interest litigation, after establishing her locus standi in that regard.

4. W.P.No.17942 of 2020 is disposed of on the above terms. There will be no order as to costs. Consequently, W.M.P.No.22246 of 2020 is closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To:

1.The Secretary,
State of Tamil Nadu,
School Education Department,
Fort St. George,
Chennai - 600 009.

2.The District Collector,
Kancheepuram District.

3.The Chief Education Officer,
Kancheepuram District.

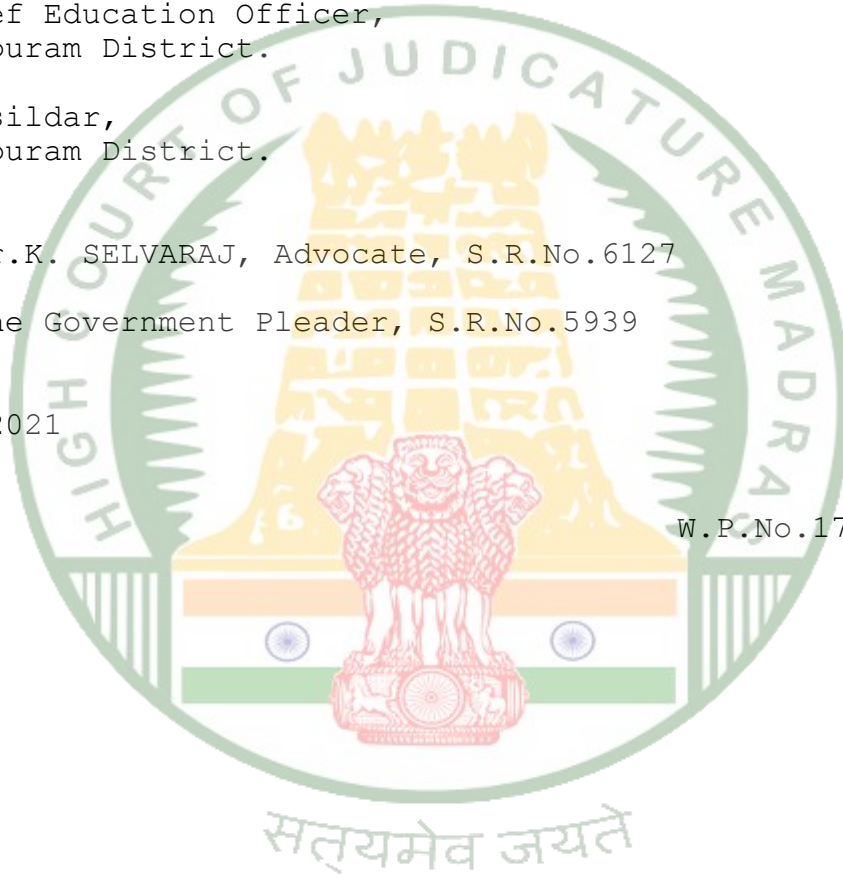
4.The Tahsildar,
Kancheepuram District.

+1cc to Mr.K. SELVARAJ, Advocate, S.R.No.6127

+1cc to the Government Pleader, S.R.No.5939

GP(CO)
SM/16/02/2021

W.P.No.17942 of 2020



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