



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P(MD)No.13526 of 2021

S.Michael

... Petitioner

Vs.

- 1.The District Collector,
Sivagangai District.
- 2.The Superintendent of Police,
Sivagangai District.
- 3.The Revenue Divisional Officer,
Sivagangai District.
- 4.The Block Development Officer,
Office of the Ilayankudi Panchayat,
Ilayankudi,
Sivagangai District.
- 5.The Assistant Commissioner,
Hindu Religious and Charitable Endowment,
Paramakudi.
- 6.The Joint Commissioner,
Hindu Religious and Charitable Endowment,
Sivagangai District.
- 7.The Tahsildar,
Ilayankudi Taluk,
Sivagangai District.
- 8.The Executive Officer,
Ilamanoor Panchayat,
Ilamanoor, Ilayankudi Taluk,
Sivagangai District.
- 9.The Inspector of Police,
Ilayankudi Police Station,
Sivagangai District.



10.Sathaiya Velar

11.Rajkumar

12.Ilango

13.Malairaj

14.Santholiyan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to declare that government puramboke land in Survey No. 135/9 an extent of 90 cents in Gunappanenthal Village, Ilayankudi Taluk, Sivagangai District, is for general public utility and consequently direct the respondents nos. 1 3 4 7 and 8 to restore the utility of two overhead water tanks, water supply, motor room, paddy husking field, TV room, bathing facility, bus stop shelter, play ground for the welfare of the Gunappanenthal Village people, by removing the iron mesh fencing laid by the respondents No. 5 6 10 to 14 in Survey No. 135/9 an extent of 90 cents of Gunappanenthal Village, Ilayankudi Taluk, Sivagangai District by considering the petitioner's representation, dated 12.04.2021 within the period as stipulated by this Court.

For Petitioner : Mr.A.Haja Mohideen

For Respondents : Mr.P.Thilak Kumar

Standing Counsel for Government
for R.1 to R.9

ORDER

(Order of the Court was made by **M.DURAISWAMY, J.**)

The petitioner has filed the above writ petition as a Public Interest Litigation, to issue a writ of Mandamus, to declare that government puramboke land in Survey No. 135/9 an extent of 90 cents in Gunappanenthal Village, Ilayankudi Taluk, Sivagangai District, is for general public utility and consequently direct the respondents Nos. 1 3 4 7 and 8 to restore the utility of two overhead water tanks, water supply, motor room, paddy husking field, TV room, bathing facility, bus stop shelter, play ground for the welfare of the Gunappanenthal Village people, by removing the iron mesh fencing laid by the respondents No. 5, 6 , 10 to 14 in Survey No. 135/9 an extent of 90 cents of Gunappanenthal Village, Ilayankudi Taluk, Sivagangai District, by considering the petitioner's representation, dated 12.04.2021 within a time frame.

2. The learned Counsel appearing for the petitioner submitted that though the petitioner has submitted his representation as early as on 12.04.2021, the seventh respondent has not considered the same so far. Further, the learned Counsel submitted that it is suffice, if a direction is given to the seventh respondent to pass orders on



the representation of the petitioner, dated 12.04.2021, within a time frame.

3. Mr.P.Thilakkumar, learned Standing Counsel for the Government, taking notice for the respondents 1 to 9, submitted that the seventh respondent may be directed to consider the petitioner's representation dated 12.04.2021 and pass orders on merits and in accordance with law, within a time frame.

4. Having regard to the submissions made by the learned Counsel on either side and also taking into consideration the limited prayer sought for in the Writ Petition, without expressing any opinion with regard to the merits of the case, we direct the seventh respondent to consider the petitioner's representation dated 12.04.2021 and pass orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

5. With these observations, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

SSL

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

- 1.The District Collector,
Sivagangai District.
- 2.The Superintendent of Police,
Sivagangai District.
- 3.The Revenue Divisional Officer,
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- 4.The Block Development Officer,
Office of the Ilayankudi Panchayat,
Ilayankudi, Sivagangai District.



5.The Assistant Commissioner,
Hindu Religious and Charitable Endowment,
Paramakudi.

6.The Joint Commissioner,
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Sivagangai District.

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Ilayankudi Taluk,Sivagangai District.

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W. P (MD) No.13526 of 2021
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MGJ(16.08.2021) 4P 10C