



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.01.2021

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P. (MD)No.19105 of 2020

and

W.M.P. (MD)No.15971 of 2020

B.Maheswaran

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep. by the Secretary to Government,
Public Works Department,
Fort St. George,
Secretariat,
Chennai - 600 009.
- 2.The District Collector,
Office of the District Collector,
Court Road,
Thanjavur District.
- 3.The Commissioner of Corporation,
Thanjavur Corporation,
Thanjavur.
- 4.The Tahsildar,
Taluk Office,
Thanjavur District.
- 5.The Assistant Engineer,
Tamil Nadu Electricity Board,
Karanthai Division,
Thanjavur District.
- 6.Backiyalakshmi, W/o.Manoharan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of Mandamus, to direct the respondents 2 to 4 to take serious view and appropriate action by conducting a detailed enquiry and consequently, to conduct fresh auction in the Common Toilet, situated in Karanthattangudi Village, at Ward No.2, Block No.65, T.S.No.2168, within the time frame to be fixed by this Court.

For Petitioner	:	Mr.Niranjana S.Kumar
For R1, R2, R4 and R5	:	Mr.K.Mu.Muthu Additional Government Pleader
For R3	:	Mr.N.Dilipkumar
For R6	:	No Appearance



ORDER

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

Mr.K.Mu.Muthu, learned Additional Government Pleader takes notice for the respondents 1, 2, 4 and 5 and N.Dilipkumar, learned Standing Counsel takes notice for the third respondent. Despite service of notice on the sixth respondent and her name appears in the cause list, there is no representation for her.

2.The grievance of the petitioner is with respect to the unauthorized collection of fees for using public toilet by the sixth respondent.

3.Learned counsel for the respondent No.3 submitted that though there are about 60 families using the public toilet, the allegation regarding collection of fees for using the public toilet by the sixth respondent is not correct.

4.Considering the submissions made on either side, we direct respondent No.2 to conduct an enquiry through its officials by making a visit and if any such illegal activities are taking place either at the instance of third respondent or any other private party, appropriate action will have to be taken. It is needless to state that action will have to be taken in this regard within eight weeks from the date of receipt of a copy of this order. We make it clear that it is always open to the respondent No.2 to bring the right to collection of fees for using the public toilet by way of public auction.

5.The Writ Petition stands disposed of with the above directions. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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 Secretary to Government of Tamil Nadu,
Public Works Department,
Fort St. George,
Secretariat,
Chennai - 600 009.

2.The District Collector,
Office of the District Collector,
Court Road,
Thanjavur District.

3.The Tahsildar,
Taluk Office,
Thanjavur District.

+1 CC to M/s.N.DILIP KUMAR, Advocate (SR-2092[F] dated 25/01/2021)

+1 CC to M/s.NIRAJAN S.KUMAR, Advocate (SR-1956[F] dated 25/01/2021)

W.P. (MD) No.19105 of 2020
22.01.2021

PK(CO)
KB(05.02.2021) 3P 6C