



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P.[MD]No.19039 of 2020

and

W.M.P.[MD]No.15957 of 2020

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Tamil Nadu Maha Sourashtra Sabha
Rep. by R.K.Basker,
Managing Trustee,
S/o. Krishna Iyer,
No.24-D, Karaipattarai Lane,
Balarengapuram,
Madurai - 625 009.

... Petitioner

Vs.

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The Commissioner,
Madurai Municipal Corporation,
Annamaligai,
Madurai.
- 3.The Chief Education Officer,
Hakim Ajmal Khan Road,
Chinna Chokikulam,
Madurai.
- 4.The Secretary,
Sourashtra High School Council,
110, Kamarajar Salai,
Madurai - 625 009.
- 5.The Secretary,
Sourashtra Girls Vidya Sangam,
Theppakulam,
Anupanadi Road,
Madurai - 625 009.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 3 to permit the Tamil Nadu Maha Sourashtra Sabha to renovate the old building situated in Sourashtra Girls (Primary) School No.5 Navabadkana Street, South Masi Street, Madurai, by considering the petitioner's representation dated 22.11.2020.



For Petitioner : Mr.C.R.Janardhanan
For Respondents 1 & 3 : Mr.K.P.Krishnadass,
Special Government Pleader
For Respondent No.2 : Mr.R.Murali
For Respondent No.4 : Mr.D.Nallathambi
For Respondent No.5 : Mr.Mohanram

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O R D E R

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

With the consent on either side, this Writ Petition itself is taken up for final disposal.

2.Heard the learned Counsels appearing on either side.

3.This Writ Petition has been filed as a Public Interest Litigation, seeking permission to renovate the old building where the Sourashtra Girls (Primary) School is situated.

4.Admittedly, the petitioner association is not the owner of the building. Unless and until the owner of the building files an application and seeks permission, no renovation, demolition or re-construction can be done. Hence, this Writ Petition cannot be entertained as a Public Interest Litigation.

5.Learned Counsel for the respondent Corporation submitted that the building has already been sealed and till date, nobody has challenged the locking and sealing of the said premises and the said submission is placed on record.

6.With the above observation, the Writ Petition stands dismissed. However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Records)

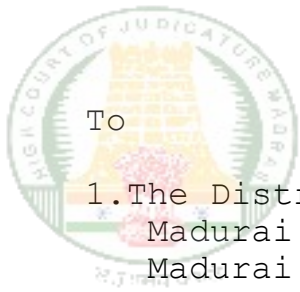
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Sub Assistant Registrar(CS)

MR

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,
Madurai District,
Madurai.

2.The Commissioner,
Madurai Municipal Corporation,
Annamaligai,
Madurai.

3.The Chief Education Officer,
Hakim Ajmal Khan Road,
Chinna Chokikulam,
Madurai.

+1 CC to M/s.D.NALLATHAMBI, Advocate (SR-16601[F] dated
20/04/2021)

+1 CC to M/s.SPL GP (SR-16772[F] dated 20/04/2021)

+1 CC to M/s.R.MURALI, Advocate (SR-16883[F] dated 21/04/2021)

+1 CC to M/s.C.R.JANARTHANAN, Advocate (SR-16908[F] dated
21/04/2021)

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NS (CO)
KB(13.05.2021) 3P 8C