



WEB COPY

W.P.(MD) No.22574 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.12.2021

CORAM :

**THE HON'BLE MR.MUNISHWAR NATH BHANDARI,
ACTING CHIEF JUSTICE**

AND

THE HON'BLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.(MD) No.22574 of 2021

Thirumurthi

.. Petitioner

Vs

1. The District Collector,
Tenkasi District,
Tenkasi.
2. The Block Development Officer,
Kadayanallur Panchayat,
Tenkasi District.
3. The President,
Boganallur Panchayat,
Sanganaperi,
Tenkasi District.

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus, forbearing the respondents from putting up construction of Panchayat Board Building for Boganallur Panchayat in S.No.155/9 Sannganaperi Village, Boganallur Revenue Village, Kadayanallur Taluk, Tenkasi District place which is used as threshing floor "Ner Kalam" by the villagers by considering the petitioner's representation dated 06.12.2021.

For Petitioner	: Mr.K.Selvam
For 1 st Respondent	: Mr.SRA.Ramachandran, Additional Government Pleader
For Respondents 2 & 3	: Mr.NGA.Nataraj

ORDER

[Order of the Court was made by The Hon'ble ACTING CHIEF JUSTICE]

The present Public Interest Litigation has been filed to seek to restrain the respondents from constructing Panchayat Board Building in Survey No.155/9 of Sannganaperi Village, Boganallur Revenue Village, Kadayanallur Taluk, Tenkasi District.

<https://hdservices.mca.gov.in/hdservices/>



2. The aforesaid Survey Number is said to be used as 'Ner Kalam' for last many years. It is to the benefit of the agriculturists.

3. The learned Additional Government Pleader appearing for the first respondent has produced the copy of the revenue records showing the land in Survey No.155/9 to be a private land belonging to one Ramaiah bearing Patta No.1825. The Panchayat building is otherwise constructed in Survey No.160/4 on a land belonging to the Panchayat itself ie., third respondent.

4. In view of the above, a case has not been made out to issue a direction in the nature as prayed in this Public Interest Litigation.

5. Accordingly, this Writ Petition is dismissed. There shall be no order as to costs.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR/RM

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,
Tenkasi District, Tenkasi.
2. The Block Development Officer,
Kadayanallur Panchayat,
Tenkasi District.

+1 CC to M/s.SPL GP (SR-39964[F] dated 22/12/2021)

+1 CC to M/s.K.SELVAM, Advocate (SR-40069[F] dated 22/12/2021)

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