



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.12.2021

CORAM

THE HONOURABLE MR.JUSTICE **C.V.KARTHIKEYAN**

W.P. (MD)No.20712 of 2018

Ananda Primary School,
represented by Saravanan,
Secretary/Head Master,
Tirunelveli District.

... Petitioner

vs.

1.The Director of Social Welfare Department,
No.1, Panagal Maligai, 2nd Floor,
Jeenious Road, Saidapeti,
Chennai - 600 015.

2.The District Collector,
Tirunelveli District, Tirunelveli.

3.The Commissioner,
Tenkasi Municipality,
Tenkasi, Tirunelveli.

4.The Block Development Officer,
Panchayat Union Office, Tenkasi.

5.The Tahsildar,
Talulk Office, Tenkasi.

6.The District Elementary Educational Officer,
Tirunelveli District, Tirunelveli.

7.The Block Elementary Education Officer,
Tenkasi Elementary Education Office,
Tenkasi.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to consider the petitioner's representation, dated 18.09.2018 and issue the requisite show cause notice to the School authorities to make any alteration and modification in the properties of the school and follow due process of law.

For Petitioner :Mr.S.Sarvagan Prabhu

For R1, R2, R4 to R7 :Mr.J.John Rajadurai
Government Advocate

For R3 :Mr.P.Athimoola Pandian



O R D E R

This Writ Petition has been filed in the nature of Mandamus seeking a direction to the respondents to consider the representation, dated 18.09.2018.

2.Heard Mr.S.Sarvagan Prabhu, learned Counsel for the petitioner, Mr.J.John Rajadurai, learned Government Advocate for R1, R2 and R4 to R7 and Mr.P.Athimoola Pandian, learned Counsel for the third respondent.

3.The petitioner primarily seeks that prior to construction of any Anganwadi Centre either close to the School or appending the petitioner School, notice must be issued to the petitioner herein. The petitioner is quite concerned with the fact that the School is quite an old School running from the year 1943 and therefore, if any construction is put up, then it would only be appropriate that the School authorities are also made aware of the construction.

4.Mr.P.Athimoola Pandian, learned Counsel for the third respondent/Commissioner, Tenkasi Municipality, stated that even though there was a proposal to construct Anganwadi Centre, subsequently, they taken a conscious decision to put up an Anganwadi centre at a separate place and therefore, as on date, the cause of the petitioner does not survive.

5.In view of that particular fact, this Writ Petition is closed giving liberty to the petitioner to take necessary action, if at all, any further steps in the nature alleged is once again re-initiated by the third respondent. No costs.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

1.The Director of Social Welfare Department,
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Tenkasi Elementary Education Office,
Tenkasi.

7.The Commissioner,
Tenkasi Municipality,
Tenkasi, Tirunelveli.

+1 CC to M/s.S.SARVAGANPRABHU, Advocate (SR-38240[F] dated
10/12/2021)

+1 CC to M/s.SPL GP (SR-38343[F] dated 13/12/2021)

W.P. (MD) No.20712 of 2018
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MGJ(22.12.2021) 3P 10C