



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:28.01.2022

CORAM :

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

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

W.P.No.1086 of 2022

R.Suresh Manivannan

..Petitioner

Vs

1. The Principal Secretary,
Fort St. George,
Secretariat,
Chennai - 600 009.
2. The Director of Rural Development
and Panchayat Raj,
Directorate of Rural Development
and Panchayat Raj Department,
Panagal Building,
Chennai - 600 015.
3. The District Collector,
Collectorate Complex,
Kallakurichi - 606 202.
4. The Assistant Director (Panchayat),
Assistant Director (Panchayat) - Office,
Kallakurichi - 606 213.
5. The Block Development Officer
(General and Panchayat)
Panchayat Union Office Rishivandhiyam,
Vanapuram - 605 801.

..Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondents to re-establish the Block Development Office-Rishivandhiyam by bifurcating the Block Development Office at Vanapuram (Pin code 605 801) and restore the Block Development Office-Rishivandhiyam



at Rishivandhiyam (606 205) for the welfare of Rishivandhiyam and its surrounding villages based on petitioner's representation dated 20.09.2021 thereby ensure the welfare of the general public.

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For the Petitioner : Mr.M.Vijay Anand

For the Respondents : Mr.P.Muthukumar
State Government Pleader

ORDER

(Order of the Court was made by
the Hon'ble Acting Chief Justice)

The writ petition has been filed to seek a direction on the respondents to re-establish the Block Development Office-Rishivandhiyam by bifurcating the Block Development Office at Vanapuram.

2. It is submitted on behalf of the petitioner that since 1964 the Block Development Office was running at Rishivandhiyam and the same was shifted to the other place at Vanapuram, which is now causing inconvenience to the people living in the area adjoining the town. In view of the above, a representation was given to re-establish the Block Development Office at Rishivandhiyam and the same has not been considered. Therefore, this public interest litigation has been filed by the petitioner.

3. Learned Government Pleader has opposed the writ petition and submits that for the last 58 years the Block Development Office is functioning at Vanapuram, which is centrally located. The shifting of the Block Development Office to Rishivandhiyam will cause inconvenience to the people residing at different areas as Rishivandhiyam is not centrally located. Further, location of the Block Development Office at Vanapuram is more convenient for the public. In view of the above, a prayer is made to dismiss the writ petition.

4. We have considered the rival submissions and perused the materials placed on record.

5. An order to establish the office of the Block Development Office at a particular place cannot be given while exercising jurisdiction under Article 226 of the Constitution of India unless the Block Development Office presently located offends any constitutional provision or law. Learned counsel appearing for the petitioner has not invited our attention to any such violation, but he has referred only the convenience of the people.



6. A prayer has been made to re-establish the Block Development Office at Rishvandhiyam, which was shifted, according to the petitioner, in the year 1964 and according to learned Government Pleader, for the last 58 years, the Block Development Office is running at Vanapuram and the location of Block Development Office at Vanapuram is more convenient to the general public.

7. This Court in exercise of jurisdiction under Article 226 of the Constitution of India cannot direct the authorities to establish or re-establish an office at a particular place in the absence of any statutory violation. It is for the administration to take an appropriate decision considering the interest of the general public and, therefore, we are refraining ourselves from passing an order on the prayer made by the petitioner. There is no merit in the writ petition. Accordingly, the same is dismissed. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To:

1. The Principal Secretary,
Fort St. George,
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Chennai - 600 009.
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Kallakurichi - 606 213.



5. The Block Development Officer
(General and Panchayat)
Panchayat Union Office Rishivandhiyam,
Vanapuram - 605 801.

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+1cc to MR.M.Vijay Anand, Advocate, SR.NO.5121
+1cc to Government Pleader SR. No. 5706 (23/03/2022)

W.P.No.1086 of 2022

PM(CO)

KKV/02/02/2022