



WEB COPY

W.P.[MD]No.7375 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH
and
THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P. [MD]No.7375 of 2022
and
W.M.P. [MD]No.5595 of 2022

K.Vijayan

: Petitioner

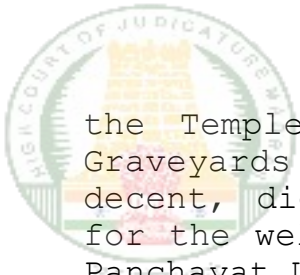
Vs.

- 1.The Secretary,
Rural Development Department,
Fort St. George,
Beach Road,
Chennai - 600 009.
- 2.The Director,
Rural Development Department,
Panagal Maaligai, Saidepet,
Chennai - 600 015.
- 3.The District Collector,
Theni District,
Theni.
- 4.The Assistant Director,
DRDA Maaligai,
Theni, Theni District.
- 5.The Block Development Officer,
Theni, Theni District.
- 6.The President,
Dharmapuri Panchayat Union,
Theni, Theni District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned publication published in the unified Madurai District bulletin dated 17.07.1995 by the Collector of Madurai District and quash the same as illegal and consequently direct the third respondent by allocating the Tanks and Voorani in

[https://hcservicescourts.in/fcservices/216, 232, 233, 235, 640/5, 642, 644/1, 652, 661](https://hcservicescourts.in/fcservices/216,232,233,235,640/5,642,644/1,652,661) and



the Temples in Survey Nos.197, 222, 725/1, 649, 133/13 and the Graveyards in Survey Nos.713, 658/1 and 232 in order to lead a decent, dignified life and without any law and order problem also for the welfare and livelihood of the peoples of the Poomalai Kundu Panchayat Union.

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For Petitioner	: Mr.K.Safar Badhusha
For R1 to R4	: Mr.SRA. Ramachandran
	Additional Government Pleader

O R D E R

[Order of the Court was made by **P.N.PRAKASH, J.**]

Heard Mr.K.Safar Badhusha, learned Counsel appearing for the petitioner and Mr.SRA.Ramachandran, learned Additional Government Pleader appearing for the respondents 1 to 4.

2.The short point that falls for consideration in this Public Interest Litigation is as under:

2.1.In the year 1994, the District Collector, Madurai was appointed as the Inspector of Panchayats, under Section 21 of the Tamil Nadu Panchayats Act, 1994 vide G.O.Ms.No.149, Rural Development (C1) Department dated 19.08.1994. Thereafter, by virtue of the said appointment, the District Collector exercised his powers as the Inspector of Panchayats and bifurcated certain village panchayats by order dated 17.07.1995. One such bifurcation was done in respect of Poomalai Kundu Village.

2.2.The grievance of the petitioner is that Poomalai Kundu village was bifurcated as Dharmaapuri and Kattu Naickenpatti by the District Collector as stated above. It is his further grievance that Poomalai Kundu was allotted only 177 survey numbers whereas Dharmaapuri was allotted 227 survey numbers and Kattu Naickenpatti was allotted 360 survey numbers. On account of this, there are frequent disputes between these three villages in respect of the burial of the dead and usage of the water.

3.It is admitted by both sides that at present Dharmaapuri, Kattu Naickenpatti and Poomalai Kundu are no more in Madurai District and they are now part and parcel of Theni District. Under such circumstances, the petitioner has filed the present Public Interest Litigation challenging the order dated 17.07.1995 that was passed by the District Collector, bifurcating Poomalai Kundu, Dharmaapuri and Kattu Naickenpatti.

4.Much water has flown under the bridge since 1995 and it is too late in the day for the petitioner to challenge the bifurcation that has taken place way back in the year 1995. Hence, this is not a



fit case to entertain this Public Interest Litigation.

5. Accordingly, this Writ Petition is dismissed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

To

1. The Secretary,
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DRDA Maaligai,
Theni, Theni District.

5. The Block Development Officer,
Theni, Theni District.

+1 CC to M/s.SPL.GP (SR-24406[F] dated 07/06/2022)

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NSN(CO)
KB(13.06.2022) 3P 7C