



W.P.(MD) No.21048 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2022

CORAM:

**THE HONOURABLE MR.JUSTICE R.MAHADEVAN
and
THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD**

W.P.(MD) No.21048 of 2022

P.Balamurugan

... Petitioner

-VS-

- 1.The District Collector
District Collector's Office
Madurai
- 2.The Commissioner
Madurai Corporation
Madurai
- 3.The Director of School Education
College Road
Nungampakkam
Chennai
- 4.The Chief Educational Officer
Tallakulam
Madurai



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5.The Correspondent
U.C.Higher Secondary School
Near Periyar Bus Stand
Madurai

6.Kremmer Sandegren Foundation-Pattukkottai
through its President D.Abrahamdas
16, St.Johns Church Shopping Complex
Rockins Road
Thiruchirappalli

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 to 4 to take necessary action and issue orders directing the respondents 5 and 6, the U.C.School Administration to shift the students from dangerous buildings, to make alternate arrangements to run school and to demolish the old and dilapidated school buildings at the earliest on the basis of the petitioner's representation dated 13.08.2022.

For Petitioner : Mr.Ananda Raj.A.

For Respondents : Mr.P.Thilakkumar
Government Pleader for R1, R3 & R4
Mr.S.Vinayak
Standing Counsel for R2
R5 & R6 – Dispensed with



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ORDER

[Order of the Court was made by R.MAHADEVAN, J.]

Mr.P.Thilakkumar, learned Government Pleader, takes notice for the respondents 1, 3 & 4 and Mr.S.Vinayak, learned Standing Counsel, takes notice for the second respondent.

2. Since the writ petition is disposed of at the admission stage itself and considering the nature of relief sought for by the petitioner, notice to the private respondents is dispensed with.

3. With the consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

4. The prayer in the writ petition is for issuance of a writ of mandamus directing the respondents 1 to 4 to take necessary action and issue orders directing the respondents 5 and 6 to shift the students from the dangerous buildings, to make alternate arrangements to run the school and to demolish the old and dilapidated school buildings at the earliest, on the basis of the petitioner's representation dated 13.08.2022.



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5. The learned Government Pleader appearing for the respondents 1, 3 and 4, on instructions, submitted that the allegations raised by the petitioner regarding structural stability of the fifth respondent – School building are unsustainable, in view of the certificate issued by the Building Inspector, who is the competent authority to assess the structural stability of buildings.

6. In view of the above submission of the learned Government Pleader, the grounds raised by the petitioner, who has no competency at all to doubt the structural stability of the fifth respondent – School building, do not inspire confidence of this Court and the writ petition is, therefore, liable to be dismissed.

7. Accordingly, the writ petition is dismissed. No costs.

[R.M.D., J.]

[J.S.N.P., J.]

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Index : Yes / No

Internet : Yes / No

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