



W.P.No.1746 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.01.2023

CORAM

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Writ Petition No.1746 of 2023

Sivaperumal

..

Petitioner

Vs.

1. The Secretary to the Govt. of Tamil Nadu
Revenue Department
Secretariat
St. George Fort, Chennai.
2. The District Collector
Salem.
3. The Assistant Director
(Village Panchayat)
Salem District.
4. The Block Development Officer
(Village Panchayat)
Kadaiyampatti Union
Salem District.
5. The President
Kongupatti Union
Kadaiyampatti, Salem District.



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6. The Union Engineer
Panchayat Union Office
Kadaiyampatti
Salem District.

.. Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for a writ of Mandamus directing the respondents to consider the petitioner's representation dated 05.08.2022 and construct new Union Office at Kongupatti Union, Kadaiyampatti, Salem District within stipulated time fixed by this Court.

For the Petitioner : Mr.B.Gopalakrishnan

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for Respondents 1 to 3

Mr.P.Balathandayutham
Special Government Pleader
for Respondent-4

ORDER

(Made by the Hon'ble Acting Chief Justice)

This writ petition has been filed seeking a direction to consider the petitioner's representation dated 05.08.2022 with regard to the construction of new Union Office at Vedikanur, Salem District.



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2.The petitioner is an elected Member of Ward No.9 of Kongupatti Union, Kadaiyampatti, Salem District. The Kongupatti Panchayat is situate in the city of Kadaiyampatti Union. The Panchayat Council Office, Library, Village Administrative Office, Government Schools, Hospitals, Temples and Bus stops are all functioning in the said Union for several years. As the Panchayat Council Office is in dilapidated condition, the second respondent has decided to construct a new office in an extent of 3000 sq.ft. in S.F.No.273 in Vedikanur, Salem District, which is a remote village. Therefore, the petitioner made a representation to the fourth respondent to construct the new office in Kadaiyampatti Union itself and the same is yet to be considered. Hence, the above writ petition.

3. According to the petitioner, the second respondent has decided to construct the new Panchayat Office in a remote place, without calling for any opinion or suggestion from the public residing in and around Kongupatti Union, in order to develop the personal land of the fifth respondent.



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4. Admittedly, the Panchayat Council Office is in dilapidated condition. Therefore, the second respondent has decided to construct a new building in Vedikanur Village in an extent of 3000 sq.ft., which has to be appreciated. When the second respondent has chosen the place in Vedikanur Village for the construction of new Panchayat Office, the same cannot be stalled on the ground of remoteness or on the ground that the opinion or suggestion of the public in and around Kongupatti Union has not been called for.

5. In view of the above, we do not find any merit in the writ petition and accordingly, it is dismissed. There will be no order as to costs. Consequently, WMP No.1861 of 2023 is also dismissed.

(T.R., ACJ.) (D.B.C., J.)
25.01.2023

Index : Yes/No
Neutral Citation : Yes/No

kpl



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T.RAJA, ACJ,
and
D.BHARATHA CHAKRAVARTHY,J

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