



W.P.No.17148 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.08.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

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

W.P.No.17148 of 2023

M.Subramanian

.. Petitioner

Vs

1.The District Collector,
Kallakurichi District,
Kallakurichi.

2.The Thasildar,
Thirukovilur Taluk,
Thirukovilur,
Kallakurichi District.

3.The District Education Officer,
Kallakurichi District,
Kallakurichi.

4.The Block Development Officer,
Office of the Block Development Officer,
Thirukovilur Taluk,
Thirukovilur,
Kallakurichi District.

.. Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus forbearing the respondents in any manner constructing the panchayat office or VAO office in the school land, comprised in Survey No.438 of Veangur Village, Thirukovilur Taluk, Kallakurichi District by considering the representation of the petitioner signed by several village people dated 16.05.2023.

For the Petitioner : Ms.Divya Gracy
for Mr.Na. Malai Saravanan

For the Respondents : Mrs.R.Anitha
Spl. Government Pleader

ORDER

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

We have heard Ms.Divya Gracy, learned counsel for the petitioner, and Mrs.R.Anitha, learned Special Government Pleader for the respondents.

2. On the last date, none had appeared for the petitioner. We had recorded the statement of learned Special Government Pleader that after the land is utilized for the construction of the Panchayat Building, still 2.977 grounds of land remains for the Elementary School. Within a distance of less than 2 Km, the Government has a



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Middle and High School. As per the provisions of law, for a Nursery and Primary School, three grounds of land is required irrespective of the location of the school.

3. Today, a communication issued by the Block Development Officer is placed on record to suggest that the integrated Village Panchayat building is constructed in an area of 2200 sq.ft. at the peripheral part of Survey No.438/5, leaving more than three grounds required for the functioning of Elementary School with student strength of 38 in two school buildings. As per Annexure II of the Tamil Nadu Private Schools (Regulation) Rules, 2023, minimum three grounds of land is required for Nursery and Primary School and the respondents are providing for the minimum required land for the school.

4. It is submitted that learned counsel on record for the petitioner is not in a position to attend the court. However, the public interest has been safeguarded and more than three grounds of land is provided for the school. The Government shall construct



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a compound wall and maintain the three grounds required for the functioning of the Elementary School.

The writ petition is disposed of accordingly. There will be no order as to costs. Consequently, W.M.P.No.16313 of 2023 is closed.

(S.V.G., CJ.)

(P.D.A., J.)

16.08.2023

Index : Yes/No
Neutral Citation : Yes/No
sasi

To:

- 1.The District Collector,
Kallakurichi District,
Kallakurichi.
- 2.The Thasildar,
Thirukovilur Taluk,
Thirukovilur,
Kallakurichi District.
- 3.The District Education Officer,
Kallakurichi District,
Kallakurichi.
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Office of the Block Development Officer,
Thirukovilur Taluk,
Thirukovilur,
Kallakurichi District.



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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKE SAVALU, J.

(sasi)

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