



W.P.No.28482 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.11.2023

CORAM :

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

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.28482 of 2023

S.Umapathi

.. Petitioner

VS

- 1.The District Collector,
Thiruvallur District.
- 2.The Additional Collector and Project Director,
Thiruvallur District.
- 3.The Assistant Director (Panchayats),
Thiruvallur District.
- 4.The Sub Collector,
Ponneri Revenue Zone,
Thiruvallur District.
- 5.The Tahsildar,
Ponneri Taluk Office,
Poonamallee.
- 6.The Block Development Officer,
Sozhavaram.



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7.The President,
Valuthigaimedu Panchayat,
Shozhavarm, Ponneri Union,
Tiruvallur District.

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing 1st to 6th respondent to consider the representation of the petitioner dated 11.09.2023 to remove the construction of building in Survey No.186/2 in village.

For the Petitioner : Mr.G.Murugendran
for Ms.R.Ravitha

For the Respondents : Mrs.R.Anitha
Spl. Government Pleader
for respondents 1 to 6

: No appearance
for respondent No.7

ORDER

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

Heard Mr.G.Murugendran, learned counsel for Ms.R.Ravitha, learned counsel for the petitioner and Mrs.R.Anitha, learned Special Government Pleader for respondents 1 to 6.



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2. Learned counsel for the petitioner submits that Survey No.186/2 is a "kalam" meant for threshing. The Anganwadi is sought to be shifted to Survey No.186/2 unauthorisedly. Learned counsel submits that the said land cannot be used for any other purpose.

3. Learned Special Government Pleader submits that already the Panchayat Union Office, Primary School, Library and Kitchen exist in Survey No.186/2. The Anganwadi and Fair Price Shop are sought to be constructed. Even after constructing the Anganwadi and the Fair Price Shop, an area of 16,445 square feet would still remain vacant and the same will be maintained for threshing purposes. It is further submitted that the respondent authorities would construct the cement platform as per the requirement in the remaining area for threshing purposes and the said area would be sufficient.

4. The land is not being used for any commercial purpose. Already the structures are existing in the said land and the area of



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16,445 square feet is assured to be maintained for threshing purposes and for that also the cement platform is assured to be provided that may be in the interest of the villagers.

5. In the light of that, the writ petition is disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

08.11.2023

Index : Yes/No
Neutral Citation : Yes/No
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To

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THE HON'BLE CHIEF JUSTICE
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