



WEB COPY



W.P.No.34659 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P.No.34659 of 2022

&

W.M.P.No.34094 of 2022

Rajasekar

... Petitioner

Vs.

1.The District Collector
Villupuram District

2.The Thasildar
Thindivanam Taluk
Villupuram District

3.The Block Development Officer
Olakur Block Development Office
Saram Village
Thindivanam Taluk
Villupuram District

4.The President
Ural Village
Thindivanam Taluk
Villupuram District

... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India
praying to issue a Writ of mandamus directing the respondents to consider
the petitioners representation dated 16.11.2022 and further direct the 3rd



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respondent to drop the proposal of constructing a “common toilet and latrine” in the village lake in Survey No.88/5, Ural village, Thindivanam Taluk, Villupuram district.

For Petitioner : Mr.S.Silambu Selvan

For Respondents : Mr.V.Nanmaran AGP for R1 and 2

Mr.C.Jaya Prakash, Govt.Advocate
for R3 and 4

ORDER

Writ petition is filed seeking to issue a Writ of mandamus directing the respondents to consider the petitioners representation dated 16.11.2022 and further direct the 3rd respondent to drop the proposal of constructing a “common toilet and latrine” in the village lake in Survey No.88/5, Ural village, Thindivanam Taluk, Villupuram district.

2. The case of the petitioner is that the respondents are trying to put a construction in the water body in order to construct a toilet. The contention of the learned counsel for the petitioner is that even the revenue records indicate only water body. Therefore, the authorities are trying to convert the water body into building which is impermissible.



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3. Mr.V.Nanmaran, learned Additional Government Pleader takes notice for the respondents 1 and 2 and would submit that this Writ Petition is nothing but abuse of process of law and filed only with political vendetta and authorities are taking care of the fact that no building is constructed in the water body. The toilet is being constructed only for the purpose of the village people.

4. Having regard to the above, this Court also perused the entire materials. Though in the revenue records it is shown as lake the photographs annexed in the petition clearly shows that the construction is not inside the lake. Photographs also indicate that there is no semblance of water body. In such view of the matter, the petitioner as a matter of right cannot stall the project which is for public purpose. Accordingly, the Writ Petition is dismissed. No costs. Consequently, connected Writ miscellaneous petition is closed.

02.01.2023

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Internet:Yes

Index:Yes/No

Neutral citation:Yes/No



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To

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N. SATHISH KUMAR, J.

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