



W.P.(MD) No.8167 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.04.2023

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD) No.8167 of 2023

Pothiraja

... Petitioner

-vs-

- 1.Union of India
Ministry of Rural Development
Government of India
Dr.Rajendra Prasad Road
New Delhi-110 001
- 2.The Principal Secretary
Rural Development and Panchayat
Government of Tamil Nadu
Secretariat
Chennai-600 009
- 3.The Director
Rural Development and Panchayat
4th and 5th Floor, Jeenis Road
Saidapet, Chennai-600 009
- 4.The District Collector
Madurai District
Madurai



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5.The Tahsildar
Usilampatti Taluk
Madurai District

6.The Project Director
Rural Development and Panchayat
Madurai District

7.The Assistant Director
Rural Development and Panchayat
Madurai District

8.The Block Development Officer
Village Panchayat
Usilampatti Union
Madurai District

9.The Assistant Executive Engineer
Rural Development Department
Usilampatti Region
Madurai District

10.Nagan

11.N.Chellapandi

12.N.Sundarapandi

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondent 1 to 9 to resume the construction of public latrine and bathroom in Survey No.492/29 or 492/75A, 492/75B at Valaiyapatti Village, Usilampatti Taluk, Madurai District and consecutively direct the respondents 4 and 5 to remove the illegal



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encroachment if necessary for the purpose of constructing public latrine and bathroom.

For Petitioner : Mr.M.Ramasiva
For Respondents : Mr.K.Govindarajan
Deputy Solicitor General of India for R1
Mr.P.Thilakkumar
Government Pleader for R2 to R7 & R9
Mr.V.Nirmal Kumar
Government Advocate for R8

ORDER

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

The grievance of the petitioner is that the Government is not implementing the scheme for putting up public toilet in the village concerned.

2. Mr.P.Thilakkumar, learned Government Pleader appearing for the respondents 2 to 7 & 9, would submit that the construction was stopped due to the interim order granted by this Court in W.P.(MD) No.10498 of 2021.

3. In view of the same, we do not think that we can entertain this public interest litigation.



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4. Leaving it open to the petitioner to approach the Writ Court and seek vacation of the interim order granted in W.P.(MD) No.10498 of 2021, this public interest litigation is dismissed. No costs.

[R.S.M., J.]

[L.V.G., J.]

11.04.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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To:

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