



W.P.(MD) No.10952 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2023

CORAM:

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

W.P.(MD) No.10952 of 2023

and

W.M.P(MD) No.9589 of 2023

S.Kamaraj

... Petitioner

-VS-

1. The Additional Secretary to Government,
Rural Development and
Panchayat Raj Department,
Secretariat, Chennai.
2. The Additional Secretary to
Government,
Department of Sports,
Secretariat, Chennai.
3. The District Collector,
District Collector Office,
Ramanathapuram District.
4. The Block Development Officer,
Block Development Office,



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WEB CO Thiruvadanai Union, Ramanathapuram District.

5. The President,
Nilamalagiyamangalam Village,
Thiruvadanai Union,
Ramanathapuram District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 to 4 to take appropriate action against the construction of Panchayat secretariat building for Nilmalagiyamangalam Village, Thiruvadanai panchayat Union, Thiruvadanai Taluk, Ramanathapuram District by consider the petitioners representation dated 18.04.2023 and for such other relief within the period stipulated by this Honourable Court.

For Petitioner : Mr.S.Atham Ali

For Respondents : Mr.P.Thilakkumar
Government Pleader

ORDER

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

Mr.P.Thilakkumar, learned Government Pleader, takes notice for the respondents.

2. With the consent of both sides, this writ petition is taken up for final hearing at the admission stage itself.



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3. The only ground on which the petitioner seeks prohibitory mandamus is that the volley ball court has been constructed in the very same place in the year 2019 – 2020. It is a common knowledge that setting up of the volley ball court does not require any permanent structure except erection of two poles. The Government is at liberty to use the limited resources available for construction of public offices. This Court cannot, in exercise of jurisdiction under Article 226 of the Constitution of India, interfere with such exercise of power by the Government. These are matters which are apart judicial review.

4. Hence, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[R.S.M., J.]

[L.V.G., J.]

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NCC : No
Index : No
Internet : Yes
PKN



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