



W.P.(MD)No.17010 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.07.2023

CORAM:

THE HONOURABLE **MR.JUSTICE S.S.SUNDAR**

and

THE HONOURABLE **MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

W.P.(MD)No.17010 of 2023

and

W.M.P(MD)No.14227 of 2023

Sathishkumar

... Petitioner

Vs.

1.The District Collector,
Thoothukudi District,
Thoothukudi.

2.The Revenue Divisional Officer,
Tiruchendur,
Thoothukudi District.

3.The Tahsildar,
Tiruchendur,
Thoothukudi District.

4.The Block Development Officer(Village Panchayat),
Uthankudi,
Thoothukudi District.

5.The President,
Paramankurichi Village,
Thoothukudi District.

... Respondents



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Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents to demolish the dilapidated building in Survey No.226, Paramankurichi Village, Tiruchendur Taluk, Thoothukudi District and till such time restrain the fourth and fifth respondents from constructing working shed building on the western side of the dilapidated building by considering the petitioner's representation dated 08.05.2023 within the period stipulated by this Court.

For Petitioner	:Mr.M.Jegadeesh Pandian
For R-1 & R-3	:Mr.P.Thilak Kumar, Special Government Pleader
For RR2, 3 & 5	:Mr.M.Lingadurai, Special Government Pleader

ORDER

(Order of the Court was made by **S.S.SUNDAR, J.**)

Heard Mr.M.Jagadeesh Pandian, learned counsel for the petitioner, Mr.P.Thilak Kumar, learned Government Pleader for respondents 1 and 3 and Mr.M.Lingadurai, learned Special Government Pleader for respondents 2, 3 and 5.

2. The petitioner has filed this Public Interest Litigation seeking for issuance of a Writ of Mandamus, directing the respondents to demolish the



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dilapidated building in Survey No.226, Paramankurichi Village, Tiruchendur Taluk, Thoothukudi District and till such time, restrain the fourth and fifth respondents from constructing working shed building on the western side of the dilapidated building by considering the petitioner's representation dated 08.05.2023.

3. The grievance of the petitioner is that a working shed is proposed to be constructed by the respondents 4 and 5 adjoining a building which is in dilapidated condition and the dilapidated structure may cause damage to the proposed building. The petitioner's request is that the proposed building should be constructed leaving sufficient space and it should be independent.

4. From the photographs, this Court is convinced that the dilapidated structure is not likely to affect the proposed construction. Further, choice of site and building is the prerogative of the respondents. This Court finds no serious cause or problem which would affect the public. This Court does not find any justifiable reason for entertaining this writ petition for the cause alleged in the writ petition.



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Therefore, this writ petition is dismissed. No Costs. Consequently,

connected miscellaneous petition is closed.

[S.S.S.R., J.] [D.B.C., J.]
14.07.2023

Index : Yes / No
NCC : Yes/No
PM

To

- 1.The District Collector,
Thoothukudi District,
Thoothukudi.
- 2.The Revenue Divisional Officer,
Tiruchendur,
Thoothukudi District.
- 3.The Tahsildar,
Tiruchendur,
Thoothukudi District.
- 4.The Block Development Officer(Village Panchayat),
Uthankudi,
Thoothukudi District.
- 5.The President,
Paramankurichi Village,
Thoothukudi District.



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S.S.SUNDAR, J.

and

D.BHARATHA CHAKRAVARTHY, J.

pm

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