



W.P(MD)No.18594 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 08.08.2023

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

W.P(MD)No.18594 of 2023
and
W.M.P.(MD)No.15424 of 2023

B.Pandi

... Petitioner

Vs.

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The Block Development Officer,
Kalaiyarkovil, Sivagangai District.
- 3.The President,
Maranthai Panchayat,
Kalaiyarkovil Panchayat Union,
Sivagangai District, Sivagangai.
- 4.Thiruvassagam,
The President,
Maranthai Panchayat,
Kalaiyarkovil Panchayat Union,
Sivagangai District, Sivagangai.

... Respondents



W.P(MD)No.18594 of 2023

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the respondents from putting up and construction of building in Survey No.77/6, Melasethur Village, Maranthai Panchayat, Kalaiyarkovil Panchayat Union, Sivagangai District and also changing / shifting the Village Panchayat Office / Building from Melasethur to Therku Maranthai Village.

For Petitioner : Mr.T.Antony Arulraj

For Respondents : Mr.M.Siddhardhan,
Addl. Government Pleader for R1 & R2.
Mr.RM.Arun Swaminathan for R3 & R4.

ORDER

Heard the learned counsel on either side.

2.The petitioner has grievance as regards putting up of panchayat secretariat in S.No.77/6, Melasethur Village, Maranthai Panchayat. Our attention has been drawn to the relevant revenue records. It is seen therefrom that S.No.77/6 measuring 0.85 ares has been classified as a water body. But We are not in a position to interfere at the instance of



W.P(MD)No.18594 of 2023

the petitioner for the simple reason that in a portion of the said survey number, a school building was already constructed long time back. We called upon the respondents to file an affidavit that no new construction has come up and that the earlier building which was dilapidated had been demolished and in that spot only the new secretariat is being constructed. To that effect, an affidavit has been filed by the respondents. The respondents further state that 1.50 acres in the said survey number is still being maintained as a Oorani. Since the present construction has come up only on a previously put up building, We permit the petitioner to move the first respondent for appropriate relief.

3. With this liberty to the petitioner, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S.J.) & (B.P.J.)
08.08.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias



WEB COPY



W.P(MD)No.18594 of 2023

**G.R.SWAMINATHAN, J.
and
B.PUGALENDHI, J.**

ias

To:-

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The Block Development Officer,
Kalaiyarkovil, Sivagangai District.

W.P(MD)No.18594 of 2023

08.08.2023