



W.P(MD)No.21046 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.09.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.21046 of 2014

and

M.P(MD)No.1 of 2014

R.Palaniammal

... Petitioner

Vs

1.The District Collector,
Madurai District,
Madurai.

2.The Tahsildar,
Thirumangalam Taluk Office,
Madurai District.

3.The Block Development Officer,
Kallikudi Village Panchayat Union,
Kallikudi,
Madurai District.

4.The President,
Sivarakkottai Village Panchayat,
Thirumangalam Taluk,
Madurai District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Mandamus, directing the respondents 1 to 3 herein to



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take immediate action on the on going construction activity of a building made by the fourth respondent herein on the school play ground place comprised in Survey No. 215/1, Sivarakottai Village, Thirumangalam Taluk, Madurai District on the basis of the representation given by the petitioner dated 11.12.2014 forthwith.

For Petitioner : Mr.M.S.Suresh Kumar

For Respondents : Mr.S.RA.Ramachandran
Additional Government Pleader

ORDER

Heard both sides.

2. The petitioner is a former President of the local body. According to her, Survey No.215/1 Sivarakottai must be used as playground for the welfare of the children studying in a Government School. Her grievance is that the President who was holding the office in the year 2014 proposed to construct a Government building in the said survey number. To restrain the fourth respondent from doing so, the present writ petition came to be filed.

3. During the pendency of the writ petition the construction had already been completed. The question of directing its demolition does not and cannot arise. However, to satisfy myself I called upon the learned Additional



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Government Pleader to produce the A-register. It clearly mentions that the survey No.215/1 has been classified as “Rayathu Punjai”. I fail to understand as to how it can become sarkar poramboke. The names of three temples along with a well have been mentioned in Column No.12. The Panchayat Union road also passes through the said survey number. In these circumstances, while the construction that has already come up may remain, no further construction shall be put up.

4. This writ petition is allowed on these terms. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

22.09.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA

To

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The Tahsildar,
Thirumangalam Taluk Office,
Madurai District.



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MGA

3.The Block Development Officer,
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