



WP(MD)No.14632/2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.14632/2015

M.Pandi

...Petitioner

Vs.

- 1.The District Collector,
Madurai District, Madurai
- 2.The Revenue Divisional Officer,
Madurai District, Madurai.
- 3.Assistant Director (Panchayat),
Madurai District, Madurai
- 4.The Tahsildar,
Madurai East, Madurai
- 5.Block Development Officer,
Madurai East, Madurai
- 6.The President,
Karupayurani Panchayat,
Madurai District.

7.Pandi

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 5 to take necessary action for constructing the drama stage (Kalai Arangam) in S.No.11/2, Karupppaurani, Madurai District.



WP(MD)No.14632/2015

For Petitioner : Mr.R.Venkatesan
For Respondents : Mr.S.Shaji Bino,
Special Government Pleader,
for R1 to R6
No appearance for R7

ORDER

This petitioner has filed this writ petition to direct the respondents 1 to 5 to take necessary action to construct a drama stage (Kalai Arangam) in S.No.11/2, Karupppaurani, Madurai District.

2. The grievance of this petitioner is that Kalai Arangam is very much required for his village and therefore, he made a representation to the first respondent. Since the representation was not considered, he has filed this writ petition.

3. The learned Special Government Pleader appearing for the respondents 1 to 6 submits that there is another Kalai Arangam near the place where the petitioner wants to construct Kalai Arangam. Therefore, there is no necessity to construct new Kalai Arangam as suggested by the



WP(MD)No.14632/2015

petitioner. He submits that, in view of this writ petition, the land in which the petitioner seeks to construct Kalai Arangam is kept intact.

4. This Court considered the rival submissions made and also perused the materials placed on record.

5. The village Panchayats are empowered with a constitutional mandate under Article 243 of the Constitution of India as a part of democratic decentralisation. The Grama Sabhas are vested with power to perform such functions at the village level as similar to the legislature of the State. The Panchayats are now vested with powers as institutions of self-Government with certain responsibilities and therefore, it is well within the domain of the Grama Sabha of the Panchayat to decide whether a Kalai Arangam is necessary or not. This Court is not inclined to grant any relief as prayed for and it is up to the Grama Sabha to decide accordingly. Hence this writ petition is disposed of. No costs.

17.03.2023

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

mbi

3/4



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WP(MD)No.14632/2015

B.PUGALENDHI, J.

mbi

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WP(MD)No.14632/2015

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