



W.P(MD)No.19872 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.10.2023

CORAM :

THE HONOURABLE MR.JUSTICE **M.SUNDAR**
and
THE HONOURABLE MR.JUSTICE **R.SAKTHIVEL**

W.P(MD)No.19872 of 2023
and
W.M.P(MD)No.16410 of 2023

P.Annadurai

... Petitioner

vs.

1. The District Collector,
Collectorate,
Thanjavur.

2. The Revenue Divisional Officer,
Revenue Divisional Office,
Pattukkottai Taluk,
Thanjavur District.

3. The Tahsildar,
Tahsildar Office,
Pattukkottai Taluk,
Thanjavur District.

4. The Commissioner,
Panchayat Union Office,
Madukkur,
Pattukkottai Taluk,
Thanjavur District.

... Respondents



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Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondent to stop the illegal construction of the unauthorized religious structure which is being built within the premises of Panchayat Union Primary School which is situated at SF.No.559/9, 559/8C in Padappaikadu Village, Madukur South, Thanjavur District and to restore the said premises to its original position in consonance with Section 5 of the Tamil Nadu Public Premises (Eviction of Unauthorized Occupants) Act, 1975 by considering the petitioner's representations dated 02.05.2023 and 02.08.2023 within the time frame fixed by this Court.

For Petitioner : Mr.S.Ramanathan
For R1 to R3 : Mr.P.Thilakkumar, Government Pleader

ORDER

[Order of the Court was made by **M.SUNDAR, J.**]

This order will now dispose of the captioned 'Writ Petition' (hereinafter 'WP' for the sake of brevity) and the captioned 'Writ Miscellaneous Petition' (hereinafter 'WMP' for the sake of brevity) therein. Captioned Writ Petition has been filed in this Court on 09.08.2023 as a 'Public Interest Litigation' (hereinafter 'PIL' for the sake of brevity).



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2. Adverting to proceedings made in the previous listing on 30.08.2023, learned counsel has expressed regret for missing the matter.

Be that as it may, advertent to proceedings made in the listing prior to the earlier listing i.e., 16.08.2023, learned counsel submitted that instead of the petitioner in the captioned WP, another person if substituted will be able to assist this Court with facts of sufficient granularity. In this scenario, instead of substitution the option of withdrawing the captioned WP and filing of fresh writ petition by another person on the same cause of action popped up and learned counsel sought leave to take this route. Learned counsel has made an endorsement in the case file and a scanned reproduction of the same is as follows:

Since the
petitioner is
unable to provide
details, liberty may
be given to substitute
the petitioner.
T. S. S.
6847/22
Ramaiah S
12.10.23

3. Request of learned counsel to preserve the rights of any other persons to canvass the same point on the same cause of action giving more facts and particulars with granularity is acceded to. In other



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words, it is open to any other person to come to this Court on the same cause of action.

4. With this caveat, captioned PIL (main Writ Petition) and the WMP are disposed of as closed. There shall be no order as to costs.

(M.S., J.) (R.S.V., J.)
18.10.2023

Index : Yes / No
Neutral Citation : Yes / No
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M.SUNDAR, J.
and
R.SAKTHIVEL, J.

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ORDER MADE IN
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DATED : 18.10.2023