



W.P(MD)No.14993 of 2016

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.14993 of 2016 and
WMP(MD) No.11052 of 2016

1.M.Malaikolunthan
2.M.Kumarasamy
3.Masimalai

... Petitioners

Vs

1.The Project Director,
Project Implementation Unit,
National Highways Authority (NH-67 Division),
No.10, Kamathenu Nagar,
Karur.

2.The Chief Engineer,
National Highways,
Chepakkam,
Chennai.

3.The District Collector,
Trichy District,
Trichy.

4.The Tahsildar,
Srirangam Taluk,
Trichy District.

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the first respondent from construction of a toilet, septic tank in SF No.19/4A of Thirupparaitthurai Village, Srirangam Taluk, Tiruchirappalli District based on the petitioner's representation dated 15.07.2016.

For Petitioners	: Mr.G.Kandha Vadivelan
For R1 & R2	: Mr.S.Krishna Kumar for Mr.C.Arulvadivel Associates
For R3 & R4	: Mr.M.Sarangan Additional Government Pleader

ORDER

The petitioners are having a piece of land in S.No. 19/4A, Thirupparaitthurai Village, Srirangam Taluk, Tiruchirappalli, to an extent of 0.09.0 Ares. The petitioners with a grievance that the first respondent has constructed a Toilet and a septic tank in front of the petitioners' land has submitted a representation in the year 2016 and filed this writ petition for a Mandamus, forbearing the first respondent from constructing Toilet and Septic Tank in front of their property.



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2.The learned counsel appearing for the first respondent submits that the Toilet has already been constructed near the toll plaza in the land belongs to National Highways. The first respondent has produced the photographs and submits that this toilet has been constructed on the opposite of Ramakrishna Kudil and it is also 300 meters away from the said Kudil

3.In reply, the learned counsel for the petitioners submits that this toilet has been constructed adjacent to the Ramakrishna Kudil administered by Ramakrishna Mutt.

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

5.The first respondent has put up toilet adjacent to the tollplaza and that too in the land belong to National Highways. Therefore, this Court is not inclined to entertain this writ petition.



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Accordingly, this writ petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

13.12.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes
vrn

To

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B.PUGALENDHI, J.

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Order made in
W.P(MD)No.14993 of 2016 and
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