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W.P.(MD)NO.26251 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.11.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.26251 of 2023 AND
W.M.P.(MD)No.22594 of 2023

Manapacheri Village Panchayat,
Kottampatti Union,
Melur Taluk,
Madurai District,
Rep. by its President,
S.Sethurajan.

... Petitioner

Vs.

1. The District Collector,
Madurai District,
Madurai.
2. The Tahsildar,
Melur Taluk,
Melur,
Madurai District.
3. The Commissioner,
Kottampatti Union,
Kottampatti,
Melur Taluk,
Madurai District.
4. The Inspector of Police,
Kottampatti police station,
Kottampatti,
Melur Taluk,
Madurai District.



5. A.Bose

6. A.Ravi

7. S.Theivendran

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to conduct the survey of Government School land in S.Nos. 228/1, 228/2 and 223/2 situated at M.Vellalapatti Village, Melur Taluk, Madurai District and consequently directing the respondents 1 to 3 to construct the compound wall and toilet facility at Government Middle School, M.Vellalapatti, Melur Taluk, Madurai District.

For Petitioner : Mr.C.Jeganathan

For R-1 to R-3 : Mr.K.Balasubramani,
Special Government Pleader.

For R-4 : Mr.A.Albert James,
Government Advocate.

* * *

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Special Government Pleader appearing for respondents 1 to 3 and the learned Government Advocate appearing for the fourth respondent.



2. The petitioner wants to construct a compound wall in the petition-mentioned Government school. It appears that the private respondents raised objections. Therefore, survey is warranted.

3. The second respondent is directed to conduct proper survey. Notice shall be issued to the objectors. If such an order shall be passed, objections that may be raised by the private respondents. Breathing time of six weeks shall also be given to them. If their objections are sustained, the course of action to be adopted by the second respondent will be accordingly modified. If their objections are overruled and if within six weeks thereafter, they are unable to obtain any interim order from the competent Court, survey shall be conducted. At the end of the survey exercise, survey report as well as sketch will be prepared and served to the parties concerned. This writ petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

02.11.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
PMU



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To:

1. The District Collector,
Madurai District,
Madurai.
2. The Tahsildar,
Melur Taluk,
Melur,
Madurai District.
3. The Commissioner,
Kottampatti Union,
Kottampatti,
Melur Taluk,
Madurai District.
4. The Inspector of Police,
Kottampatti police station,
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WEB COPY



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G.R.SWAMINATHAN,J.

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