



W.P.(MD) No.3056 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.02.2024

CORAM:

THE HONOURABLE **MR.JUSTICE D.KRISHNAKUMAR**

AND

THE HONOURABLE **MR.JUSTICE R.VIJAYAKUMAR**

W.P.(MD)No.3056 of 2024

and

W.M.P.(MD)No.3035 of 2024

Father of the Constitution of India Foundation,

Represented by its Managing Trustee,

Pon Dhammabala

... Petitioner

-Vs-

1.The District Collector,
Collectorate, Thanjavur.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Pattukottai, Thanjavur District.

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



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

5.The Chief Educational Officer,
O/o. Chief Educational Officer,
Thanjavur.

6.The Commissioner,
Madukkur Town Panchayat,
Madukkur, Pattukkottai Taluk,
Thanjavur District.

7.K.Narayanan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 6 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 S.F.Nos.559/9 & 559/8C, Padappaikadu Village, Madukkur South, Thanjavur District and to restore the said premises to its original position by considering the representation of the petitioner's trust dated 05.12.2023.

For Petitioner : Mr.S.Krishnan

For R1 to R3& R5 : Mr.P.Thilak Kumar,
Government Pleader



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ORDER

[Order of the Court was made by *D.KRISHNAKUMAR, J.*]

By consent of both parties this Writ Petition is taken up for final disposal at the stage of admission itself.

2. According to the petitioner, there is a school building, called as Panchayat Union Primary School in S.F.Nos.559/9 and 559/8C situated at Padappaikadu Village, Pattukkottai Taluk, Thanjavur District and the 7th respondent is trying to construct a temple in the school premises without obtaining necessary permission from the authority concerned. Therefore, pointing out the same, he made a representation to the official respondents. Since the same has not been considered so far, he has filed this Writ Petition.

3. Mr.P.Thilak Kumar, learned Government Pleader, who took notice for the respondents 1 to 3 and 5, by placing the revenue records before this Court, which reveals that the land in question is classified as Veeranar Kovil Panchayat Union Middle School, submitted that there is no temple situated in the school premises as alleged by the petitioner.



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4. In view of the said submission, we are not inclined to entertain this Writ Petition, accordingly, it is dismissed. If there is any violation of the building plan approval, the petitioner is at liberty to seek his remedy before the authority concerned. No costs. Consequently, connected miscellaneous petition is closed.

[D.K.K., J.] & [R.V., J.]

13.02.2024

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

Yuva

To

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AND

R.VIJAYAKUMAR, J.

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