



W.P(MD)No.14676 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 04.07.2024

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

W.P(MD)No.14676 of 2024

Ramesh

... Petitioner

Vs.

- 1.The District Collector,
Chair Person - District Monitoring Committee,
Madurai District, Madurai - 625 020.
- 2.The Revenue Divisional Officer,
Chair Person / Convenor -
Divisional Monitoring Committee,
Melur Division, Narasingampatty,
Madurai District.
- 3.The Thasildar,
Melur Taluk,
Melur,
Madurai - 625 106.
- 4.The President,
Katchirayanpatti Panchayat,
Katchirayanpatti, Melur Taluk,
Madurai - 625 101.
- 5.The Head-Master,
Government High School,



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Katchirayanpatti, Melur Taluk,
Madurai - 625 101.

... 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 respondents herein from anyway constructing the School compound wall by encroaching the Andan Pitchan pond in Survey No.241, Katchirayanpatti Village, Melur Taluk, Madurai District and directing the respondents to restore the pond by considering the petitioner's representation dated 15.04.2024.

For Petitioner : Mr.A.Jeyaram

For Respondents : Mr.K.Balasubramani,
Spl. Government Pleader for R1 to R3.
Mr.S.Shanmugavel,
Addl. Government Pleader for R4.

ORDER

The petitioner alleges that the compound wall of the fifth respondent school has been constructed on a water body. He wants the same to be removed.

2.The learned Special Government Pleader points out that one Vellaichamy filed W.P.(MD)No.6389 of 2024 for removal of



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encroachments made in S.No.241. The writ petitioner herein namely, Ramesh figured as sixth respondent in the said writ petition. The Hon'ble Division Bench vide order dated 15.03.2024 disposed of the same by directing the authorities to cause removal of encroachments by following due process of law.

3.We are satisfied that this writ petition has been filed as a counter blast. A public interest litigant should not be actuated by malafides. It is not the case of the writ petitioner that there are private encroachments. The learned Special Government Pleader would point out that only for the safety of the school children of Government High School, Katchirayanpatti, the compound wall has been erected. We are not inclined to order demolition of the compound wall.

4.The writ petition is dismissed. No costs.

(G.R.S.J.,) & (B.P.J.,)
04.07.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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**G.R.SWAMINATHAN, J.
and
B.PUGALENDHI, J.**

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