



W.P(MD)No.12268 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.06.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SURESH KUMAR
and
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN**

**W.P(MD)No.12268 of 2024
and
W.M.P(MD)No.10876 of 2024**

P.Murugesan

... Petitioner

VS.

- 1.The Director General of Police,
Office of the Director General of Police,
No.1, Dr.Radhakrishnan Salai,
Mylapore,
Chennai – 600 004.
- 2.The District Collector,
Thoothukudi District,
Thoothukudi – 628 101.
- 3.The Superintendent of Police,
Thoothukudi District,
Thoothukudi – 628 101.
- 4.The District Librarian,
District Central Library,
9th Street, Toovipuram,
Thoothukudi – 628 003.



W.P(MD)No.12268 of 2024

WEB COPY

5.The Tahsildar,
Vilathikulam Taluk,
Vilathikulam,
Thoothikudi District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 2, 4 and 5 to construct a own building for the Branch Library, Pudhur in Survey No.57/3 in Kulakkattankurichi Village, Vilathikulam Taluk, Thoothukudi District by fixing a fixed time limit on the basis of the petitioner's representations dated 28.03.2022, 11.08.2022, 11.04.2023 and 21.02.2024.

For Petitioner

: Mr.D.Gurusamy

For Respondents

: Mr.S.S.Madhavan
Government Advocate (Crl. Side)
for R.1 & R.3

: Mr.P.Thilak Kumar
Government Pleader
for R.2, R.4 & R.5

ORDER

(Order of the Court was made by R.SURESH KUMAR, J.)

The prayer sought for in this Writ Petition is for a Writ of Mandamus, to direct the respondents 2, 4 and 5 to construct a own building for the Branch Library, Pudhur in Survey No.57/3 in Kulakkattankurichi



W.P(MD)No.12268 of 2024

WEB COURT

Village, Vilathikulam Taluk, Thoothukudi District by fixing a time limit on the basis of the petitioner's representations dated 28.03.2022, 11.08.2022, 11.04.2023 and 21.02.2024.

2.Heard Mr.D.Gurusamy, learned counsel appearing for the petitioner, Mr.S.S.Madhavan, learned Government Advocate (Criminal Side) appearing for the respondents 1 and 3 and Mr.P.Thilak Kumar, learned Government Pleader appearing for the respondents 2, 4 and 5.

3.In order to have a permanent building for the already running Village Library at Puthur Village, since already the established Library is running on rental premises, land has been identified, which has been recommended by the fifth respondent/the Tahsildar by his communication dated 10.05.2023 to the second respondent/the District Collector.

4.Since the land in the revenue records has been recorded as 'Police colony', five cents land to be culled out for the purpose of construction of Library has to be handed over by the Police Department to the Revenue Department and in this regard, the second respondent/the District Collector on 19.06.2023 has sent a communication to the third



W.P(MD)No.12268 of 2024

WEB COPY

respondent/the Superintendent of Police, who on receipt of the same, has already taken a decision to recommend the same and a communication, dated 16.04.2024 has been sent by the third respondent/the Superintendent of Police to the first respondent/the Director General of Police, so far no steps have been taken for part away the five cents land identified for the purpose of construction of the Library building.

5.In this regard, the learned Government Advocate (Criminal Side) appearing for the respondents 1 and 3 would submit that the third respondent/the Superintendent of Police has already taken a decision to recommend the same and a communication, dated 16.04.2024 has been sent by the Superintendent of Police to the first respondent/the Director General of Police, who has to take a decision.

6.Considering the said factual matrix of the case and having regard to the submissions made by the learned counsel appearing for both sides, this Court is inclined to dispose of this Writ Petition with the following order:



W.P(MD)No.12268 of 2024

WEB COPY

'That there shall be a direction to the first respondent to decide on the recommendation that has been made by the third respondent/the Superintendent of Police, vide his communication dated 16.04.2024 and necessary orders to that effect shall be passed by the first respondent, within a period of four weeks from the date of receipt of a copy of this order and the same be communicated to the respondents 2, 3, 4 and 5 and also to the petitioner.'

7.With this direction, this Writ Petition is disposed of. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

[R.S.K.,J.] [G.A.M.,J.]
11.06.2024

NCC : Yes / No
Index : Yes / No
ps



W.P(MD)No.12268 of 2024

WEB COPY

To

- 1.The Director General of Police,
Office of the Director General of Police,
No.1, Dr.Radhakrishnan Salai,
Mylapore,
Chennai – 600 004.
- 2.The District Collector,
Thoothukudi District,
Thoothukudi – 628 101.
- 3.The Superintendent of Police,
Thoothukudi District,
Thoothukudi – 628 101.
- 4.The District Librarian,
District Central Library,
9th Street, Toovipuram,
Thoothukudi – 628 003.
- 5.The Tahsildar,
Vilathikulam Taluk,
Vilathikulam,
Thoothukudi District.



WEB COPY



W.P(MD)No.12268 of 2024

R.SURESH KUMAR,J.
and
G.ARUL MURUGAN,J.

ps

ORDER MADE IN
W.P(MD)No.12268 of 2024

DATED : 11.06.2024