



1

W.P.(MD)NO.12540 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.07.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.12540 of 2024

Thirunallur Village Panchayat,
Annavaasal Union,
Pudukottai District,
Rep. by its President,
K.Manimuthu,
S/o.Kumaran.

... Petitioner

Vs.

1. The District Collector,
Pudukottai District.
2. The Assistant Director of Village Panchayat,
Pudukottai District.
3. The Block Development Officer,
Annavaasal Union,
Pudukottai District.
4. The Tahsildar,
Iluppur Taluk,
Pudukottai District.
5. Palaniappan
6. Chinnaiah
7. Raja
8. Selvaraj
9. Manimaran
10. Katthan
11. Bose
12. Chinnappa

... Respondents



WEB COPY

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to take appropriate steps to complete the construction of Thirunallur Village Panchayat Office building as located earlier in Re.Sy.No.114 of Thirunallur Village, Mullaiyur Post, Iluppur Taluk, Pudukottai District by considering the petitioner's representation dated 01.06.2024.

For Petitioner : Mr.R.Rajesh

For R-1 to R-4 : Mr.P.Thambi Durai,
Government Advocate

* * *

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Government Advocate appearing for the official respondents.

2. Issuance of notice to the private respondents is dispensed with.

3. The petitioner wants the construction of Thirunallur Village Panchayat office building to be completed. The petitioner's case is that



after the construction commenced, the objection was raised from the private respondents and to favour them, everything has been put in a cold storage. The first respondent has filed counter affidavit and it has been stated therein that an alternative site is being identified for construction of the new panchayat building and that revised proposals would be submitted. The case of the petitioner is that new construction has to come up only on the existing site where there was already panchayat office for over forty five years. If panchayat office building had been in existence for over forty five years at a particular site, there cannot be any objection for putting up a new construction in the very same site.

4. It appears that the extension of extent had given rise to some issues. The official respondents can confine the overall extent of land to the original position and if need be, they can put up extra floors for additional space. Instead identifying a new place can be a cumbersome exercise. When in the existing site, pucca building can be constructed and the administration sanction has already been accorded, there is no need to redo the process. Respondents 1 to 4 are directed to complete the petition-mentioned construction at the very same site. The construction can come up in such a way so as to address the concerns expressed by



third parties. It can be done by confining the extent of construction to its original position. This writ petition stands allowed on these terms. No costs.

18.07.2024

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

To:

1. The District Collector,
Pudukottai District.
2. The Assistant Director of Village Panchayat,
Pudukottai District.
3. The Block Development Officer,
Annavaasal Union,
Pudukottai District.
4. The Tahsildar,
Iluppur Taluk,
Pudukottai District.



WEB COPY



5

W.P.(MD)NO.12540 OF 2024

G.R.SWAMINATHAN,J.

PMU

W.P.(MD)No.12540 of 2024

18.07.2024