



W.P.(MD) No.19000 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.08.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD) No.19000 of 2024

and

W.M.P(MD)No.16049 of 2024

Periyanayagi

... Petitioner

-VS-

- 1.The President,
Mogur Panchayat,
Madukkur – 614903,
Pattukottai Taluk,
Tanjore District.
- 2.The Block Development Officer(BDO)/Monitoring Committee,
Madukkur Union,
Madukkur – 614903.
- 3.The Deputy Director of Town and Country Planning,
O/o.Directorate of Town and Country Planning,
Mangalapuram,
Medical College Road,
Tanjore.
- 4.The Chief Educational Officer(CEO),
O/o.Chief Educational Officer,
Panagal Building,
Tanjore.
- 5.The District Educational Officer(DEO),
(Private Schools),
O/o.District Educational Officer,
(Private Schools),
Near Over Bridge, Tanjore.



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6.The Assistant Educational Officer(AEO),
O/o.Assistant Educational Officer,
Madukkur(north),
Pattukottai Taluk,
Tanjore District.

7.G.Ramalingam,
Treasurer,
Sri Panchayamuga Selva Vinayagar
Educational Trust,
Sri Vinayaga Public School,
Main Road, Mogur,
Madukkur Post,
Pattukottai Taluk,
Tanjore District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 6 herein to take action against the 7th respondent for putting up illegal construction in No.58/2 punja in Mogur Village of Mogur Panchayat, Pattukottai Taluk, Tanjore District based on the legal notices, dated 28.04.2024 and 10.05.2024.

For Petitioner : Mr.S.Manikandan

For Respondents : Mr.SRA.Ramachandran,
Additional Government Pleader

ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

This writ petition is filed to issue a Writ of Mandamus directing



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the respondents 1 to 6 herein to take action against the 7th respondent for putting up illegal construction in S.No.58/2 punja in Mogur Village, Mogur Panchayat, Pattukottai Taluk, Tanjore District, based on the legal notices, dated 28.04.2024 and 10.05.2024.

2.Mr.SRA.Ramachandran, learned Additional Government Pleader takes notice for respondents 1 to 6.

3.Admittedly, the petitioner has leased out the property to one Sri Vinayaka Public School represented by its Chairman Mr.N.Dhakshnamurthy, S/o.C.Natesan. The lease deed is dated 22.01.2014 and the period of leased is 30 years. It is seen that the petitioner has filed a suit against three individuals seeking eviction. The said suit is also pending. It is in this backdrop, the petitioner has come up with the instant writ petition claiming that the school is being constructed without an approved plan. We find that this is only a litigation prompted to redress the private dispute. Hence, this writ petition is dismissed. No Costs. Consequently, connected Miscellaneous Petition is closed.

[R.S.M., J.]

[L.V.G., J.]

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

To:

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- 2.The Block Development Officer(BDO)/Monitoring Committee,
Madukkur Union, Madukkur – 614903.
- 3.The Deputy Director of Town and Country Planning,
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R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

pm

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