



WEB COPY

W.P.(MD) No.18481 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.03.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

W.P.(MD) No.18481 of 2023

and

W.M.P.(MD) No.15434 of 2023

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... Petitioner

-vs-

- 1.The District Collector
Tenkasi, Tenkasi District
- 2.The Revenue Divisional Officer
Sankarankovil
Tenkasi District
- 3.The Tahsildar
Sivagiri Taluk
Tenkasi District
- 4.Vasudevanallur Town Panchayat
rep.by its Executive Officer
Vasudevanallur
Tenkasi District

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus forbearing the fourth respondent from constructing a public toilet or any other public building in the Government poramboke pathway situated in Survey No.46, Panaiyadiyan Temple Street, Vasudevanallur Village, Sivagiri Taluk, Tenkasi District, which is classified as prohibited area by the respondents 1 to 3.

For Petitioner : Mr.J.Karthick

For Respondents : Mr.S.P.Maharajan
Special Government Pleader

ORDER

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

Prayer in this writ petition is to forbear the fourth respondent from constructing a public toilet or any other public building in the Government poramboke pathway situated in Survey No.46, Panaiyadiyan Temple Street, Vasudevanallur Village, Sivagiri Taluk, Tenkasi District, which is classified as prohibited area by the respondents 1 to 3.



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2. The Revenue Divisional Officer / second respondent, in Paragraph No.7 of his counter affidavit, has stated as follows:

“7.Hence, on the directions made by this Hon'ble Court and on the survey conducted by us, we submit that there is no urge or imminent need for constructing a public toilet in the above mentioned place and the funds which was allotted to the same may be used for any other useful purpose, rather than constructing a public toilet by the 4th respondent.”

3. In view of the above statement made by the Revenue Divisional Officer, no further adjudication is required in this writ petition and the writ petition is, therefore, closed. However, it is made clear that the respondent – Panchayat shall not proceed further for construction of public toilet in the subject place. No costs. Consequently, connected miscellaneous petition is closed.

[D.K.K., J.]

[R.V., J.]

27.03.2024

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



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Tenkasi District.
- 3.The Tahsildar,
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Tenkasi District.
- 4.The Executive Officer,
Vasudevanallur Town Panchayat,
Vasudevanallur,
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and
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