



W.P(MD)No.25359 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.07.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.25359 of 2022

D.Antony Rajadurai

... Petitioner

Vs.

- 1.The District Collector,
Thoothukudi District.
- 2.The Revenue Divisional Officer,
Tiruchendur, Thoothukudi District.
- 3.The Tahsildar,
Sathankulam Taluk,
Thoothukudi District.
- 4.The Block Development Officer,
Sathankulam Taluk,
Thoothukudi District.
- 5.The Superintendent of Police,
Thoothukudi District.
- 6.The Deputy Superintendent of Police,
Sathankulam, Thoothukudi District.
- 7.The Inspector of Police
Thattarmadam Police Station,
Thoothukudi District.
- 8.G.Georgemani

... 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, to direct the respondents Nos. 1 to 4 to implement the decision taken in the peace committee meeting vide proceedings of the 3rd respondent in Na.Ka.A6/125/2021 dated 26.10.2021 by considering the petitioner's representation dated 19.07.2022.

For Petitioner : M/s.G.Prabahari

For Respondents : Mr.G.Vairam Santhosh
Additional Government Pleader for R1 to R4

: Mr.A.Albert James
Government Advocate (Crl.side) for R5 to R7

ORDER

Heard both sides.

2. There is a dispute between the two villagers as to the name by which the village should be called. The petitioner originally stated that it should be called as Kolunthattu Village. The 8th respondent took the stand that it should be called as Polaiyarpuram. Peace committee meeting was convened. In the peace committee meeting, it was resolved that the village will continue to be called as Sasthavinallur Village. Challenging the peace committee meeting decision, the 8th respondent herein filed W.P.(MD)No.18428 of 2022. The Writ Petition was dismissed in the following terms:-



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“3. The learned counsel appearing for the petitioner submits that the petitioner belongs to Polaiyarpuram Village and there was a law and order problem with regard to naming of the bus shelter between the two groups, however, the first respondent has mechanically passed the impugned order changing the name of bus shelter as Sasthavinallur bus stop, which is not sustainable one. He would further submit that the subject matter is now pending before the learned District Munsif, Sathankulam in O.S.No.92 of 2021.

4. It appears that there was a dispute between the parties with regard to naming of the bus shelter situated at Polaiyarpuram Village, Sasthavinallur Village (Revenue) & Panchayat, Sathankulam Taluk, Thoothukudi District. In this regard, a suit in O.S.No.92 of 2021 has been filed before the learned District Munsif, Sathankulam. When the suit is pending for adjudication, the petitioner has to canvass all the points before the trial Court, instead, he has approached this Court by way of this writ petition. This Court, under Article 226 of the Constitution of India, cannot adjudicate all these facts narrated by the petitioner in this Writ Petition. However, liberty is granted to the petitioner to work out his remedy in the manner known to law.”

3. Today, when the matter was taken up for hearing, the learned counsel for the petitioner stated that the petitioner would withdraw O.S.No.92 of 2021 on the file of the District Munsif Court, Sathankulam and that he would be satisfied, if the village is known by the original name. In normal circumstances, I would not have entertained the writ petition for enforcing the peace committee meeting decision because I have been consistently holding that it has no statutory value. But in this case, the petitioner's request is only that the original



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village name should be retained in the bus stop and for all other purposes.

There is a certain procedure to be followed for effecting change of the village names. The name of a village cannot be deleted at one's whims and fancies.

4. The learned counsel for the petitioner draws my attention to the communication issued by the jurisdictional Tahsildar. It is seen therefrom that neither the name of Kolunthattu nor Polaiyarpuram are found in the records. The name of the village is reflected in the records only as Sasthavinallur. The same shall be maintained. The Writ Petition is allowed. No costs.

02.07.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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