



WP(MD). No.24449 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.11.2024

CORAM

THE HONOURABLE MR.JUSTICE M.S. RAMESH
AND
THE HONOURABLE Dr.JUSTICE A.D.MARIA CLETE

**WP(MD). No.24449 of 2024
and WMP(MD) No.20780 of 2024**

S.Maarnaatan

... Petitioner

Vs

**1. The District Collector
Madurai District, Madurai**

**2. The Block Development Officer,
Vadipatti Panchayat Union,
Vadipatti, Madurai District.**

**3. The Tahsildar
Vadipatti Taluk, Madurai District.**

**4. The Panchayat President
Mullippallam Panchayat
Vadipatti Taluk
Madurai District**

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 4 to shift the public toilet from Arulmigu Sri Elangaliyamman Temple in S.No.27/1, 27/3, 30/1, 30/2, and 30/3

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situated in Mullippallam Village, Thenkarai Circle, Vadipatti Taluk, Madurai District to any other suitable place.

For Petitioner : Mr.S.Vellaichamy
For Respondents : Mr.P.Thilak Kumar
Government Pleader

ORDER

(Order of the Court was made by M.S.RAMESH,J.)

By consent of both sides, the writ petition itself is taken up for final disposal at the stage of admission itself.

2. This writ petition has been filed for a mandamus to direct the respondents 1 to 4 to shift the public toilet from Arulmigu Sri Elangaliyamman Temple in S.No.27/1, 27/3, 30/1, 30/2, and 30/3 situated in Mullippallam Village, Thenkarai Circle, Vadipatti Taluk, Madurai District to any other suitable place.

3. For construction of a toilet, which is for public convenience, we do not see any justification on the part of the petitioner that there is



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inconvenience due to construction of such a toilet.

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4. It is stated that the toilet is located close to a temple, which location would be more convenient for the pilgrims visiting the temple during festival days. This apart, the toilet has also been meant for the local villagers. The petitioner being one of the villager cannot coerce or dictate terms to the panchayat as to where it has to be located. At the most, he can bring it to the notice of the panchayat with regard to any public inconvenience that may be caused. In the instant case, we do not see any such inconvenience except a solitary complaint from the petitioner herein.

5. The learned Government Pleader, on instructions, submitted that the construction has already been commenced. In this background, we do not see any ground to interfere with the decision of the 4th respondent herein.



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6. Accordingly, the writ petition is dismissed. No costs.

Consequently connected Miscellaneous Petition is closed.

[M.S.R.,J]

[A.D.M.C.,J]

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Index : Yes / No

Internet : Yes

RR

TO

1. The District Collector
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2. The Block Development Officer,
Vadipatti Panchayat Union,
Vadipatti, Madurai District.

3. The Tahsildar
Vadipatti Taluk, Madurai District.



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M.S. RAMESH, J.
AND
A.D.MARIA CLETE, J.

RR

ORDER
IN
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Date : 07/11/2024