



WP(MD). No.3586 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 24/02/2025

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU
AND
THE HONOURABLE MRS.JUSTICE S.SRIMATHY

WP(MD). No.3586 of 2025
and WMP(MD) Nos.2536 and 2537 of 2025

Jacob Vetha Ruban Singh

... Petitioner

v.

1. The District Collector,
Thoothukudi District..

2. The Commissioner,
Thoothukudi Corporation, Thoothukudi..

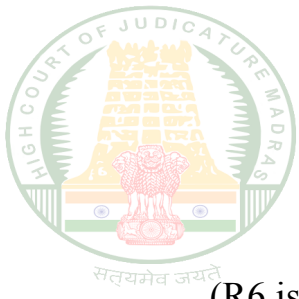
3. The Chief Educational Officer,
Thoothukudi District, Thoothukudi..

4. The District Educational Officer,
Private Schools, Thoothukudi District, Thoothukudi..

5. The Correspondent,
St.Patricks Nursey and Primary School,
Vadakkoor, Thoothukudi..

6. S.Edison,,
Pastorate Secretary, Tuticorin Pastorate,
Csi Thoothukudi-Nazareth
Diocese, Thoothukudi, Thoothukudi District.

... Respondents



WP(MD). No.3586 of 2025

(R6 is impleaded vide order dated 17.02.2025
in WMP(MD) No.2999/2025)

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned permission granted by the 4th respondent vide proceeding Na.Ka.No.1109/A1/2024 dated 31.12.2024 and quash the same illegal and consequently direct the 1 to 4 respondents to take necessary steps demolish the damaged old School building in St.Patricks Nursery and Primary School situated in Dor No.47 and 47A Ward No.5 Block No.5 T.S.No.977/1 and 978 in Vadakkoor Thoothukudi Municipality as per the orders of the 4th respondent dated 12.12.2022 and 05.02.2024 by considering the petitioners representation dated 04.01.2025.

For Petitioner : Mr.S.Vishnuvardhan

For Respondents : Mr.P.Thilak Kumar for R1 to R4
Government Pleader

Mr.H.Thayumanaswamy for R5

ORDER

(Order of the Court was made by J.NISHA BANU, J.)

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



WP(MD). No.3586 of 2025

WEB COPY

2. Challenging the impugned permission granted by the 4th respondent dated 31.12.2021 and for a consequential direction to the respondents 1 to 4 to take necessary steps demolish the damaged old School building in St.Patricks Nursery and Primary School situated in Door Nos.47 and 47A Ward No.5 Block No.5 T.S.No.977/1 and 978 in Vadakkoor Thoothukudi Municipality as per the orders of the 4th respondent dated 12.12.2022 and 05.02.2024 by considering the petitioner's representation dated 04.01.2025, the petitioner is before this Court with this writ petition.

3. The learned counsel for the petitioner would submit that the petitioner has filed this writ petition in public interest stating that the 5th respondent is running a primary school in the name and style of St. Patricks Nursery and Primary School. Since the said school building could not function in the school building, it was shifted to the Marriage hall of the school. While so, on 15.06.2022, the 5th respondent made an application to the 2nd respondent seeking permission to demolish the school building. Accordingly, through proceedings dated 16.06.2022, permission was granted by the 2nd respondent to demolish the building.



WP(MD). No.3586 of 2025

While so, though an order was passed by the 4th respondent for demolition of the school building and the Fire and Rescue Department has made inspection to the school building and endorsed that the school building is in a dilapidated condition, the school building was not demolished. However, the 5th respondent again approached the 4th respondent and obtained a stability certificate and on the strength of the stability certificate, has made an application to shift the school to the old building. The 4th respondent has also granted permission to shift the school to the old building. It shows that the 4th respondent has violated his own orders for demolishing the building and the 5th respondent is also taking steps to shift the school to the old building, which is in a dilapidated condition. Therefore, the petitioner is before this Court for the aforesaid relief.

4. When the writ petition is taken up for hearing, the learned Special Government Pleader, on instructions, would submit that an Administrator was appointed for the administration of the 5th respondent schools. The said submission is recorded.



WP(MD). No.3586 of 2025

5. Considering the submission made by both sides, when an Administrator was appointed for managing the administration of the 5th respondent Schools, without approaching the Administrator, the petitioner has straight away approached this Court by filing the present writ petition. If at all the petitioner is having any grievances, he can file an application before the Administrator ventilating his grievances and hence, a writ petition is not maintainable. Accordingly, the writ petition is dismissed. No costs. Consequently connected Miscellaneous Petitions are closed.

[J.N.B.,J]

[S.S.Y.,J]

24.02.2025

NCC : Yes/No
Index : Yes/No
RR



WP(MD). No.3586 of 2025

To

1. The District Collector,
Thoothukudi District..

2. The Commissioner,
Thoothukudi Corporation
Thoothukudi..

3. The Chief Educational Officer,
Thoothukudi District,
Thoothukudi..

4. The District Educational Officer,
Private Schools,
Thoothukudi District,
Thoothukudi..



WEB COPY



WP(MD). No.3586 of 2025

J.NISHA BANU, J
AND
S.SRIMATHY, J.

RR

ORDER
IN
WP(MD) No.3586 of 2025

Date : 24/02/2025