



W.P(MD)No.7501 of 2020

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.07.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

**W.P(MD)No.7501 of 2020
and
W.M.P(MD)No.6974 of 2020**

S.Rajangam

... Petitioner

vs.

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The District Revenue Officer,
Madurai District,
Madurai.
- 3.The Revenue Divisional Officer,
Usilampatti,
Madurai District.
- 4.The Tahsildar,
Peraiyur Taluk,
Madurai District.



W.P(MD)No.7501 of 2020

WEB COPY

5.The Block Development Officer,
Athankaraipatti Panchayat,
Peraiyur Taluk,
Madurai District.

6.The President,
Athankaraipatti Village,
Peraiyur Taluk,
Madurai District.

7.M.Ramar

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus forbearing the respondents from putting up drama stage in S.F.No.55 in Subulakshmipuram, Melathirumanickam Revenue Village, Elumalai Pirka inner circle, Athankaraipatti Village, Peraiyur Taluk, Madurai District at the entrance of Primary Health Centre, Thankaraipatti Village, Peraiyur Taluk, Madurai District and direct the respondents to shift the construction of the drama stage to some other suitable place based on the representation sent by the petitioner's dated 18.03.2020.

For Petitioner : Mr.B.Prasanna Vinoth

For RR 1 to 4 : Mr.P.Thilak Kumar
Government Pleader



W.P(MD)No.7501 of 2020

WEB COPY

ORDER

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

The writ on hand has been instituted to restrain the respondents from constructing a drama stage in S.F.No.55, Subulakshmipuram, Melathirumanickam Revenue Village, Elumalai Pirka inner circle, Athankaraipatti Village, Peraiyur Taluk, Madurai District, located at the entrance of the Primary Health Centre, Thankaraipatti Village, Peraiyur Taluk, Madurai District. The petitioner further prays for a direction to the respondents to shift the construction of the drama stage to a more suitable location, based on the representation dated 18.03.2020.

2.A person approaching the Court must establish a legal right or infringement of such right. In the absence of any law prohibiting the construction of certain public infrastructures or amenities, the Court cannot intervene and issue an order of injunction not to construct or issue a direction to construct.



W.P(MD)No.7501 of 2020

WEB COPY

3.In the present case, the petitioner seeks an order of injunction not to put up any drama stage in S.F.No.55, Subulakshmipuram, Melathirumanickam Revenue Village, Elumalai Pirka inner circle, Athankaraipatti Village, Peraiyur Taluk, Madurai District, at the entrance of Primary Health Centre, Thankaraipatti Village, Peraiyur Taluk, Madurai District.

4.The only grievance of the petitioner is that the proposed drama stage is to be constructed in front of the Primary Health Centre.

5.It is for the District Administration to take a decision prudently in the interest of the public.

6.It is needless to state that, while taking such a decision, the authorities are expected to consider public interest and the likelihood of causing any inconvenience to the residents of the locality. All these



W.P(MD)No.7501 of 2020

WEB COPY

mitigating factors are to be taken into consideration while implementing developmental projects. However, the High Court cannot issue a direction either to construct or not to construct a drama stage which is beyond the scope of the judicial review.

7. Accordingly, this Writ Petition is dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

[S.M.S.,J.] & [S.S.Y.,J.]
15.07.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
ps



W.P(MD)No.7501 of 2020

WEB COPY

To

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The District Revenue Officer,
Madurai District,
Madurai.
- 3.The Revenue Divisional Officer,
Usilampatti,
Madurai District.
- 4.The Tahsildar,
Peraiyur Taluk,
Madurai District.
- 5.The Block Development Officer,
Athankaraipatti Panchayat,
Peraiyur Taluk,
Madurai District.
- 6.The President,
Athankaraipatti Village,
Peraiyur Taluk,
Madurai District.



WEB COPY



W.P(MD)No.7501 of 2020

S.M.SUBRAMANIAM, J.
and
S.SRIMATHY, J.

ps

ORDER MADE IN
W.P(MD)No.7501 of 2020

DATED : 15.07.2025