



W.P.(MD) No.19204 of 2024

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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.19204 of 2024
and
W.M.P.(MD) No.16258 of 2024**

Muneeswari

... Petitioner

-VS-

- 1.The District Collector
Office of the Collectorate
Thoothukudi
- 2.The Adi Dravidar Welfare Officer
Office of the Adi Dravidar Welfare Office
Collectorate Complex
Thoothukudi
- 3.The Joint Registrar of
Cooperative Societies
Office of the Joint Registrar of
Cooperative Societies
Thoothukudi
- 4.The Block Development Officer



W.P.(MD) No.19204 of 2024

WEB COPY

(Village Panchayat)
Block Development Office
Otapidaram, Thoothukudi District

5.M.Karuppasamy

6.M.Kattiyammal

7.L.Samuthiram

... Respondents

[R6 & R7 are impleaded vide court order dated 27.02.2025 in W.M.P.(MD) No. 23689 of 2024 and court order dated 15.07.2025 in W.M.P.(MD) No.5670 of 2025 respectively.]

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 3 to 5 to construct the Fair Price Shop in Survey No.357/10 in Pudupachery Village, Otapidaram Taluk, Thoothukudi District for the benefit of entire villagers in which Poomi Poojai was conducted on 14.12.2023 the basis of the representation of the petitioner dated 20.07.2024 and 22.07.2024.

For Petitioner : Mr.V.Selvakumar

For Respondents : Mr.P.Thilakkumar
Government Pleader for R1 to R4
Mr.I.Pinaygash for R5
Mr.D.Senthil for R6
Mr.V.Malaiyendran for R7

ORDER



W.P.(MD) No.19204 of 2024

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[Order of the Court was made by S.M.SUBRAMANIAM, J.]

This writ petition has been instituted seeking a direction to the respondents 3 to 5 to construct a fair price shop in Survey No.357/10 in Pudupachery Village, Otapidaram Taluk, Thoothukudi District, for the benefit of the entire villagers, for which Poomi Poojai was conducted on 14.12.2023, based on the representations of the petitioner dated 20.07.2024 and 22.07.2024.

2. High Court is not expected to interfere with the routine administration of the departments and the policy decision taken for construction of fair price shops.

3. In the present case, learned counsel for the petitioner submitted that no proper administrative decision has been taken for construction of a fair price shop in Survey No.357/10 of Pudupachery Village, Ottapidaram Taluk, Tuticorin District.

4. In response, the Block Development Officer / fourth respondent



W.P.(MD) No.19204 of 2024

WEB COPY

has filed a status report and the relevant portion thereof reads as under:

“6.Reiterating the above cause the Jambulingapuram Panchayath also passed resolution dt.23.01.2024. Therefore my, the Assistant Engineer (Rural Development) and the Panchayath President made spot inspection and after several scrutiny found the present site in S.No.44/2 fit by all means.

...

8.I respectfully submit that, the site in S.No.44/2 is convenient for the free ingress and egress for public and vehicles. Further, originally the said lands were owned by one Ramachandran and he through his Power Agent one Thanga Mariappan by deed in Doc.No. 68/2001 dt.13.02.2001 sold the same to the Government of Tamilnadu. Therefore, the place is free of any encumbrance.”

5. Learned counsel for the petitioner would submit that the authority concerned has taken a decision to construct the fair price shop in the private land, which will cause loss to the State Exchequer.

6. If at all any wrong decision is taken counter to the policy of the Government or the guidelines framed, the petitioner is at liberty to submit a



W.P.(MD) No.19204 of 2024

WEB COPY

complaint before the District Collector, who in turn shall look into the same and in the event of any irregularity or illegality, the District Collector shall initiate appropriate action in accordance with law.

7. With the above observation, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[S.M.S., J.]

[S.S.Y., J.]

15.07.2025

(2/2)

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

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To:

- 1.The District Collector,
Office of the Collectorate,
Thoothukudi.
- 2.The Adi Dravidar Welfare Officer,
Office of the Adi Dravidar Welfare Office,
Collectorate Complex,
Thoothukudi.
- 3.The Joint Registrar of
Cooperative Societies,



W.P.(MD) No.19204 of 2024

WEB COPY

Office of the Joint Registrar of
Cooperative Societies,
Thoothukudi.

4.The Block Development Officer,
(Village Panchayat),
Block Development Office,
Otapidaram,
Thoothukudi District.



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W.P.(MD) No.19204 of 2024

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