



W.P.No.45938 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.11.2025

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CORAM

THE HONOURABLE MR.JUSTICE **V. LAKSHMINARAYANAN**

W.P.No.45938 of 2025

A.Aadavan @ Arumugam

.. Petitioner

VS

1.The District Collector,
Office of the District Collector,
Namakkal District.

2.The Municipal Commissioner,
Municipality Office,
Pallipalayam – 638 006
Namakkal District.

3.The District Elementary Education Officer,
Namakkal District.

4.The Head Master,
The Kandiputhur Elementary School,
Kumarapaalaiyam Taluk,
Pallipalayam, Namakkal – 638 006.

5.M/s.Sakthi Associates
rep. By its Proprietor,
No.97/A, Oonjapalayam,
Poothapandi, Bavani Taluk,
Erode District.

6.M/s.SRV Construction
rep. By its Director,
5/327, K.S. Nagar,
Pallipalayam – 638 006
Namakkal District.

.. Respondents



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For Petitioner : Mr.M.Dinesh
For Respondents : Mr.L.S.M.Hasan Fizal,
Additional Government Pleader
for R1, R3 and R4
Mr.Raja Mathivanan for R2

ORDER

The petitioner is the resident of Kandiputhur Village. He alleges that the construction made for the Kandiputhur Elementary School situated at Kumarapalayam Taluk, Namakkal District is entirely unsafe and one which does not comply with the National Building Code, 2005.

2. He states that as a member of the Parent Teachers Association of the school, wherein nearly 300 children are studying, a resolution has been passed inviting the attention of the District authorities to the state of construction. As no tangible action was initiated, representations were sent to the Chief Minister Relief Cell on 14.10.2025 and also to the Directorate of Vigilance and Anti-corruption, bringing to their notice the manner of construction. As no action has been initiated, writ petitioner is before this Court by way of a writ of mandamus.



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3. Tamil Nadu Public Buildings (Licensing) Act, 1965 and the Rules framed thereunder were brought into force only on account of a disaster with respect to a school in Madurai. Further more, the Supreme Court in **Avinash Mehrotra** vs

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Union of India

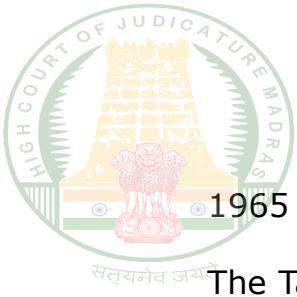
[(

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009) 6 SCC 398] had taken cognizance of improper construction of a school and the unfortunate fire accident that had taken place in a school in Kumbakonam, issued slew of directions in the said judgment. It is the allegation of the petitioner that the construction has thrown to the windows, safety precautions that should be taken by the builder, prior to completion of a public building, like a school.

4. I heard Mr.M.Dinesh for the petitioner, Mr.L.S.M.Hasan Fizal, Additional Government Pleader, who takes notice for respondents 1, 3 and 4 and Mr.M.Raja Mathivanan, who takes notice for the second respondent.

5. In terms of the Tamil Nadu Public Buildings (Licensing) Act,



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1965 and the Amended Rules, 2025, the appropriate authority viz.,

The Tahsildar, is empowered to visit the site and also take opinion of experts, in addition to the opinion that has been given by the Engineer under Rule 4 of the Tamil Nadu Public Buildings (Licensing) Rules and decide whether the construction is proper. As the case relates to 300 children and the petitioner before this Court is a parent of one such child, the first respondent/District Collector shall direct the Tahsildar, Kumarapalayam or such other authority who inspires confidence in him, to inspect the building and also take a report from an independent Engineer, other than the Engineer who has given a structural certificate to the fifth respondent and submit a report to this Court.

6. Admit.

7. Mr.Dinesh shall take notice to private respondents through Court as well as privately returnable in three weeks.

8. Post the matter on 18.12.2025.

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- 3.The District Elementary Education Officer,
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- 4.The Head Master,
The Kandiputhur Elementary School,
Kumarapaalaiyam Taluk,
Pallipalayam, Namakkal – 638 006.
- 5.The Tahsildar,
Kumarapalayam,
Namakkal District.



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V. LAKSHMINARAYANAN,J.

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