

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2015

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE  
AND  
The Hon'ble MR.JUSTICE M.M.SUNDRESH

W.P.No.10129 of 2010  
and  
M.P.No.1 of 2010

P.Ramakrishnan ... Petitioner

-vs-

- 1.The Secretary to Government,  
Rural Development and Panchayat Raj  
Department,  
Fort St. George,  
Chennai-600 009.
- 2.The District Collector,  
Salem District,  
Salem.
- 3.The Block Development Officer,  
Edapadi Panchayat Union,  
Edapadi, Salem District.
- 4.The President,  
Avani Perur East Village Panchayat,  
Edapadi Taluk,  
Salem District.

.. Respondents

Petition under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the District Collector, Salem District, Salem, the 2<sup>nd</sup> respondent to forbear the respondents 3 and 4 from putting up over head water tank in the midst of Public East West Thar road at Avani Perur East, on the north of Survey Number 325/2C2 at Avani Perur East, thereby preventing ingress and egress of the petitioner from Devi Theater Road at Avani Perur East, Edapadi, Salem pursuant to the petitioner's representation dated 26.02.2010.

For Petitioner : No Appearance

For Respondents : Mr.STS.Moorthy  
Government Pleader for R1 to R4

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

The writ petition has been filed seeking direction against the District Collector, Salem/2<sup>nd</sup> respondent to forbear the respondents 3 and 4 from putting up over head water tank in the midst of Public East West Thar road at Avani Perur East, on the north of S.F.No.325/2C2 at Avani Perur East, Edapadi, Salem.

2. No counter-affidavit has been filed. No interim orders are granted. Five years have elapsed. Whatever was being constructed must have been completed by now and it appears that the petition has become infructuous, which explains the absence of representation on the part of the petitioner.

3. The writ petition, stands, disposed of. No costs. Consequently, M.P.No.1 of 2010 is closed.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Secretary to Government,  
Rural Development and Panchayat Raj  
Department,  
Fort St. George,  
Chennai-600 009.

2.The District Collector,  
Salem District, Salem.

3.The Block Development Officer,  
Edapadi Panchayat Union,  
Edapadi, Salem District.

4.The President,  
Avani Perur East Village Panchayat,  
Edapadi Taluk,  
Salem District.

+ 1 cc Government Pleader Sr.14655

KK(CO)  
EU 31 .03.2015

W.P.No.10129 of 2010