

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2016

CORAM :

THE HONOURABLE MR. JUSTICE N.KIRUBAKARAN,J

Writ Petition No.30259 of 2016 and
W.M.P.No.26247 of 2016

S.K.Radhakrishnan

.. Petitioner

vs.

1.The Commissioner,
Sathyamangalam Municipality,
Sathyamangalam,
Erode District.

2.The Chairman,
Sathyamangalam Municipality,
Sathyamangalam,
Erode District.

... Respondents

Petition filed under Article 226 of the Constitution of India for a writ of mandamus to forbear the respondents and his subordinates from constructing a public toilet in Ward No.3 instead of Ward No.2 of Sathyamangalam Municipality by considering petitioner's representations dated 14.06.2016 & 12.08.2016.

For Petitioner : Mr.N.Ponraj

For Respondents : Mr.B.Anand,
Standing Counsel

ORDER

The petitioner has come up with this writ petition seeking a mandamus to forbear the respondents and his subordinates from constructing a public toilet in Ward No.3 instead of Ward No.2 of Sathyamangalam Municipality by considering petitioner's representations dated 14.06.2016 & 12.08.2016.

2.Heard the learned counsel for the petitioner and the learned Standing Counsel appearing for the respondents. By consent of the learned counsel for both parties, the writ petition itself is taken up for final disposal.

<https://hcservices.ecourts.gov.in/hcservices/>

3.The petitioner is the councillor of Ward No.3 of the Sathyamangalam Municipality. Originally, the public toilet was

planned to be constructed in Ward No.2. However, for the reasons best known to the respondents, they are trying to construct a public toilet in petitioner's Ward i.e., Ward No.3, inspite of the existence of 2 public toilets already. Moreover, the petitioner would submit that the said toilets are to be constructed over and above the existing water pipe lines.

4. When the matter is taken up for hearing today, Mr.N.Ponraj, learned counsel for the petitioner would submit that the the Commissioner, Sathyamangalam Municipality has written a letter on 30.08.2016 that the respondents have abandoned the idea of constructing the toilet in the disputed place and the Municipality is looking for alternate place. The said communication dated 30.08.2016 written by the Commissioner, Sathyamangalam Municipality, addressed to one Mr.S.K.Selvaraj, who is one of the residents of Ward No.3, is also perused and it is found that the respondent Municipality is looking for alternate place for constructing the public toilet.

5. Since, the respondent Municipality itself has abandoned the idea of constructing public toilet in the disputed area, the relief sought for by the petitioner has been complied with.

6. With the above observation, the writ petition is disposed of. No cost. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

jbm

1 cc to Mr.N.Ponraj, Advocate, sr.53453

1 cc to Mr.A.S.Thambusamy, Advocate, sr.53092

ppa co
kra 29.09.2016

W.P.No.30259 of 2016