



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.09.2016

CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

AND

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P. [MD] .No.16371 of 2014

and

M.P. (MD) .No.1 of 2014

A.Muthuraj @ Paulraj

.. Petitioner

Vs.

- 1.The District Collector,
Tirunelveli.
- 2.The District Revenue Officer,
Tirunelveli.
- 3.The Assistant Director (Panchayat),
District Collector Campus, Tirunelveli.
- 4.The Assistant Director,
Tamil Nadu Country Planning Office,
(off) V.O.C. Ground, Palayamkottai,
Tirunelveli -2.
- 5.The Chief Educational officer,
Tirunelveli.
- 6.The Tahsildar,
Radhapuram Taluk,
Radhapuram.
- 7.The Executive Officer,
Town Panchayat,
Thisayanvilai,
Radhapuram Taluk,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition has been filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents not to construct any new building for the higher secondary school at Shanmugapuram, Thisayanvilai Town Panchayat Limit, Radhapuram Taluk, Tirunelveli District, abutting



Shanmugapuram Village burial ground in violation of the Rule 6(5) of the Tamil Nadu District Municipalities Rules, by considering the petitioner's representation dated 01.09.2014.

For Petitioner : Mr.H.Arumugam

For respondents 1 to 6 : Mr.T.R.Janarthanam,
Additional Government Pleader

For 7th respondent : No appearance

O R D E R

[Order of the Court was made by **S.NAGAMUTHU, J.**]

The petitioner has come up with this Public Interest Litigation seeking a direction to the respondents not to construct any new building for the Higher Secondary School at Shanmugapuram, Thisayanvilai Town Panchayat Limit, Radhapuram Taluk, Tirunelveli District, abutting Shanmugapuram Village burial ground, in Tirunelveli District.

2.When the matter was taken up for hearing today, the learned Additional Government Pleader appearing for the respondents submitted that the school building was constructed at the land in question in the year 2014 itself at the cost of Rs.58 lakhs and the same has become functional. The said submission is recorded.

3.In view of the same, nothing survives for adjudication in this petition. This Writ Petition is, therefore, dismissed. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Tirunelveli.

2.The District Revenue Officer,
Tirunelveli.

3.The Assistant Director (Panchayat),
District Collector Campus, Tirunelveli.



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Radhapuram.

7.The Executive Officer,
Town Panchayat,
Thisayanvilai,
Radhapuram Taluk,
Tirunelveli District.

+1 cc to MR.H.ARUMUGAM, Advocate SR.No.57709

+1 cc to Special Government Pleader SR.No.58314

Order made in
W.P.[MD].No.16371 of 2014
30.09.2016

SMA/KM/08.11.2016:3P/10C