



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.09.2016

CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
AND
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P. [MD] .No.1932 of 2015

Perumal

.. Petitioner

Vs.

1.The District Collector, Tirunelveli District,
Tirunelveli.

2.The District Engineer,
Pollution Control Board,
Tirunelveli.

3.The Revenue Divisional Officer,
Cheranmahadevi, Tirunelveli District.

4.The Tahsildar, Ambasamudram Taluk,
Tirunelveli District.

5.The Commissioner,
Ambasamudram Municipality,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to forbear the 5th respondent from depositing and dumping the wastage in Survey No.112 of Velayutham Nagar, Ambasamudram Municipality and consequently direct the 5th respondent herein to deposit the wastage to some other suitable place in accordance with law.

For Petitioner : Mr.H.Arumugam

For respondents : Mr.T.R.Janarthanan,
1, 3 and 4 Additional Government Pleader

For 2nd respondent : Mr.C.Elaman

<https://hcservices.ecourts.gov.in/hcservices/> For 5th respondent : Mr.P.Athimoola Pandian

**ORDER**

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

The petitioner has come up with this Public Interest Litigation seeking a direction to forbear the 5th respondent from depositing and dumping the wastage in Survey No.112, Velayutham Nagar, Ambasamudram Municipality and to consequently direct the 5th respondent herein to deposit the wastages in some other suitable place.

2. When the matter was taken up for hearing today, the learned counsel appearing for the 5th respondent Municipality submitted that already the wastage yard has been shifted from the said place and it is dumped at a different place, but in the same survey number, which would not cause any hindrance or health hazards to the public. The said statement is recorded.

3. In view of the above submission of the learned counsel for the fifth respondent, nothing survives for adjudication in this matter. Hence, this Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

gcg

To

1. The District Collector, Tirunelveli District,
Tirunelveli.

2. The District Engineer, Pollution Control Board,
Tirunelveli.

3. The Revenue Divisional Officer,
Cheranmahadevi, Tirunelveli District.

4. The Tahsildar, Ambasamudram Taluk,
Tirunelveli District.

5. The Commissioner, Ambasamudram Municipality,
Tirunelveli District.

+1CC to Mr.H.Arumugam, Advocate Sr.No.54529

+1CC to Spl.Government Pleader Sr.No.54724

Gjm/PV/6.10.16-2p-8c