



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.12.2016

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM
and
THE HONOURABLE MR.JUSTICE P.KALAIYARASAN

W.P (MD) No.21183 of 2015

S.Packiyaraj

.. Petitioner

Vs.

1.The District Collector,
Madurai District, Madurai.

2.Thadayampatti Panchayat
rep. by its President,
Thadayampatti,
Periyur Taluk,
Madurai District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to provide a pathway to reach the burial ground in Survey No.31/5, Vannankulam Village, Peraiyur Taluk, Madurai District.

For Petitioner : Mr.T.Antony Arul Raj

For Respondent No.1 : Mr.D.Muruganantham,
Additional Government Pleader.

For Respondent No.2 : (No appearance)

ORDER

[Order of the Court was made by A.SELVAM, J.]

This writ petition has been filed under Article 226 of the Constitution of India praying to issue a writ of mandamus so as to direct the respondents 1 and 2 to take effective steps so as to form pathway to reach burial ground comprised in Survey No.31/5, Vannankulam Village, Peraiyur Taluk, Madurai District.

2.It is averred in the petition that a burial ground is situate in Survey No.31/5, Vannankulam Village, Peraiyur Taluk, Madurai District and proper pathway is not available so as to carry dead bodies. Under the said circumstances, the present writ petition has been filed for getting the relief sought therein.



3.The learned Additional Government Pleader appearing for the first respondent has represented that on 31.08.2015, the first respondent viz., District Collector, Madurai District has passed a suitable order so as to form pathway to the burial ground mentioned in the petition.

4.In fact on the side of the first respondent a copy of the order dated 31.08.2015 has been submitted for perusal of the Court and the same has been perused, wherein it has been specifically mentioned that for the purpose of forming pathway, certain amounts have been allotted.

5.Considering the fact that on 31.08.2015, the first respondent viz., District Collector, Madurai District has passed the order mentioned supra for the purpose of forming pathway, the relief sought in the petition has become infructuous and therefore the present writ petition deserves to be dismissed.

6.In fine, this writ petition is dismissed without costs.

Sd/-
Assistant Registrar(As)

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
Madurai District, Madurai.

2.The President,
Thadayampatti Panchayat,
Thadayampatti,
Periyur Taluk,
Madurai District.

+1cc to special Government Pleader Sr.No.79707

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ORDER MADE IN
W.P (MD) No.21183 of 2015
05.12.2016