

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.07.2017

CORAM

THE HON'BLE Mr. JUSTICE M.DURAI SWAMY

W.P.No.38415 of 2004 &
W.M.P.No.45956 of 2004

Dasarathan

... Petitioner

v.

1. State of Tamil Nadu
Rep. by the Secretary to Government,
Public Works Department,
Secretariat, Chennai -600 009.
2. Collector, Dharmapuri District,
Dharmapuri.
3. Executive Engineer,
Public Works Department,
(Water Resource Organisation)
Dharmapuri.
4. Commissioner,
Pappireddipatti Panchayat Union,
Pappireddipatti, Dharmapuri District. Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of Mandamus, forbearing the respondents from forming any sub or by-pass channel across or in the catchment area of Alapuram lake, in such a manner of preventing natural inflow of water to the Alapuram lake, or by-passing or by-passing Alapuram lake in Alapuram Village, Dharmapuri District, pursuant to the tender notification dated 10.11.2004 in Na.Ka.No.3610/2004/Aa4 of the fourth respondent.

For Petitioner : Ms. C. Vediappan for
Mr.S. Mani

For Respondents : Mr. R.Rajeswaran
Special Government Pleader (R1 to R3)
Mr. R. Chandrasekaran (R4)

O R D E R

The petitioner has filed the above Writ Petition to issue a writ of Mandamus, forbearing the respondents from forming any sub or by-pass channel across or in the catchment area of Alapuram lake, in such a manner of preventing natural inflow of water to the Alapuram lake, or by-passing Alapuram lake in Alapuram Village, Dharmapuri District, pursuant to the tender notification dated 10.11.2004, issued by the fourth respondent.

2. The fourth respondent filed a counter, wherein in para No.6 stated that Collector of Dharmapuri District, the second respondent, in his order dated 04.04.2005 has canceled the project, which is the subject matter in the writ petition. Further, the fourth respondent has stated that the entire project has been canceled.

3. In these circumstances, I do not find any reason to keep the writ petition pending. The relief sought for in the writ petition has become infructuous. Accordingly, the writ petition is dismissed as infructuous. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

nl/Rj

To

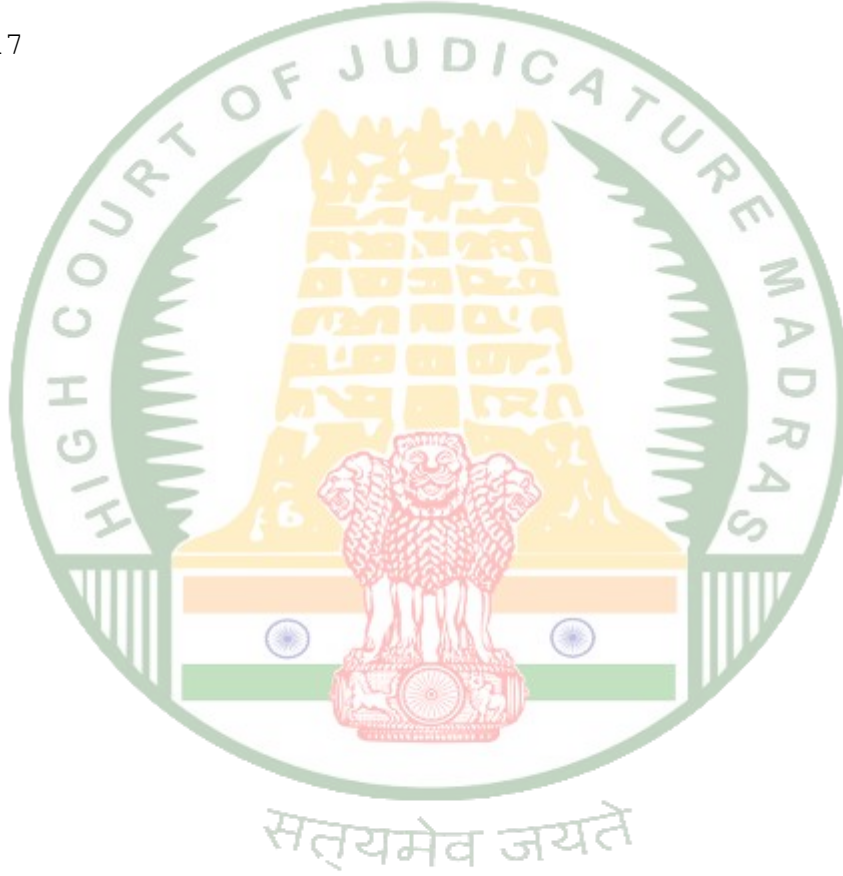
1. The Secretary to Government,
State of Tamil Nadu
Public Works Department,
Secretariat, Chennai -600 009.
2. The Collector,
Dharmapuri District,
Dharmapuri.
3. The Executive Engineer,
Public Works Department,
(Water Resource Organisation)
Dharmapuri.

4. The Commissioner,
Pappireddipatti Panchayat Union,
Pappireddipatti, Dharmapuri District.

+1cc to Mr.C.S.Associates, Advocate, S.R.No.49817
+1cc to Mr.R. Chandrasekaran, Advocate, S.R.No.49946
+1cc to the Government Pleader, S.R.No.50121

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CS/27/07/17



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