



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.10.2017

CORAM:

THE HONOURABLE MR.JUSTICE M.VENUGOPAL

AND

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. (MD) No.3880 of 2014

and

M.P (MD) Nos.1 of 2014 and 1 of 2015

C.Kasimayan

: Petitioner

vs.

1.State of Tamil Nadu,
Rep. by its Secretary,
Department of Rural Development and Panchayat Raj,
Secretariat, Chennai -9.

2.The District Collector,
Madurai District,
Madurai.

3.The Commissioner,
Usilampatti Municipality,
Usilampatti,
Madurai District.

4.Seemanoothu Village Panchayat,
Rep. by its President,
Seemanoothu,
Usilampatti Taluk,
Madurai District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying this Court for issuance of a Writ of Mandamus, forbearing the Respondent Nos.2 and 3 from constructing dumping yard along with windrow at Survey No.73/1, 73/2, 74 in C.Perumalkovilpatti Village, Seemanoothu Village Panchayat, Usilampatti Taluk, Madurai District, without approval of Respondent No.4.

For Petitioner

:Mr.Fazil for

Mr.T.Lajapathi Roy

For R-1, R-2 & R-4

:Mr.M.Govindan,

Special Government Pleader

For R-3

:Mr.K.Mahendran

**O R D E R***********

[Order of the Court was made by **M.VENUGOPAL, J.**]

The Petitioner has preferred the instant Writ Petition praying for passing of an order by this Court in forbearing the Respondent Nos.2 and 3 from constructing 'Dumping Yard' along with windrow at Survey No.73/1, 73/2, 74 in C.Perumalkovilpatti Village, Seemanoothu Village Panchayat, Usilampatti Taluk, Madurai District, without approval of the Fourth Respondent.

2. The Learned Counsel for the Third Respondent/ Commissioner, Usilampatti Municipality, Madurai District, informs this Court that in the Seemanoothu Village Panchayat, no work is proceeded with for constructing a 'Dumping Yard' and to this effect, the Commissioner of the Usilampatti Municipality, had addressed a letter dated 11.10.2017, which is produced before this Court for perusal purpose.

3. Recording the aforesaid fact that there is no work being carried at Seemanoothu Village Panchayat for forming 'Dumping Yard', the Writ Petition is closed as nothing survives for further adjudication, in the considered opinion of this Court. No Costs. The interim order passed on 05.03.2014, in M.P(MD)No.1 of 2014 in the present Writ Petition(MD)No.3880 of 2014, stands vacated. Consequently, Connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(AD-II)

/True Copy/

Sub Assistant Registrar

To

1.The Secretary,
State of Tamil Nadu,
Department of Rural Development and Panchayat Raj,
Secretariat,
Chennai -9.

2.The District Collector,
Madurai District,
Madurai.

+1cc to Mr.T.LAJAPATHI ROY Advocate in SR. No. 84758
PM
JS/KK/SAR.1/10.11.20172P-4C