



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.10.2017

CORAM:

**THE HONOURABLE MR.JUSTICE M.VENUGOPAL
AND
THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE**

W.P. (MD) No.18619 of 2017

and

W.M.P (MD) No.15004 of 2017

Murugesan

: Petitioner

vs.

1.The District Collector,
Office of the District Collector,
Theni District.

2.The Block Development Officer,
Vadugapatti,
Periyakulam Taluk,
Theni District.

3.The Tahsildar,
Office of the Taluk Office,
Periyakulam,
Theni District.

4.Palani.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying this Court for issuance of a Writ of Mandamus directing the respondents 1 to 3 herein to take immediate action to remove the illegal encroachments put up by the fourth respondent in the Government Poramboke Public Pathway situated in S.No.2677 and 2681/2, M.G.R.Colony, Saruthupatti, Periyakulam Taluk, Theni District and also to restore the Drinking Water Pipe on the basis of the Petitioner's representation dated 3.10.2017 within the time stipulated by this Court.

For Petitioner
For Respondents

:M/s.B.Jameel Arasu
:Mr.T.R.Janarthanan
Additional Govt.Pleader

**O R D E R**

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

This Writ Petition has been filed seeking issuance of a Writ of Mandamus directing the Respondents 1 to 3 herein to take immediate action to remove the illegal encroachments put up by the fourth respondent in the Government Poramboke Public Pathway situated in S.No.2677 and 2681/2, M.G.R.Colony, Saruthupatti, Periyakulam Taluk, Theni District and also to restore the Drinking Water Pipe on the basis of the Petitioner's representation dated 3.10.2017 within the time stipulated by this Court.

2.Heard both sides.

3.By consent, the main Writ Petition itself is taken up for final disposal.

4.On behalf of the second respondent, a Status Report is filed before this Court and on perusal of the same, it is quite evident that the hand-pump which was under repair and in disuse was restored and the hand-pump was re-fitted on 09.10.2017. Further, the encroachment made by the fourth respondent by way of digging pit for septic tank of his house was closed by filling the same with sand and the repaired hand-pump re-fitted was put into public usage by the second respondent today.

5.In view of the aforesaid fact that the digging of pit for septic tank by the fourth respondent in his house was closed by the second respondent etc., and the hand-pump which was under repair and in disuse was restored and the hand pump was refitted on 09.10.2017, as per status report filed by the second respondent dated 09.10.2017, this Court closes the present Writ Petition, as nothing survives for adjudication. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Office of the District Collector,
Theni District.

2.The Block Development Officer,
Vadugapatti,
Periyakulam Taluk,
Theni District.



3.The Tahsildar,
Office of the Taluk Office,
Periyakulam,
Theni District.

WEB COPY

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 82124
+1cc to Mr.B.JAMEEL ARASU Advocate in SR. No. 82058

VSN

JS/MR.KKR/SAR.1/13.10.2017/3P-6C

ORDER MADE IN
W.P. (MD) No.18619 of 2017
and W.M.P (MD) No.15004 of 2017
09.10.2017