



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 24.03.2017

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WEB COPY

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P(MD)No.4760 of 2017

and

W.M.P(MD)No.3804 of 2017

U.Devasena

..Petitioner

Vs

Nagercoil Municipality,
Nagercoil,
Kanyakumari District,
represented by its Municipal Commissioner. ..Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondent to forthwith remove the waste dumping container placed in-front of the Petitioner's property bearing Old Door No.NMC No.43/3-1C/1 and New Door No.NMC. No.1C/1, Saraloor Street, Nagercoil Village and Municipal limits, Agastheeswaram Taluk, Kanyakumari District and consequently to forebear the respondents from doing any act in the manner of preventing the Petitioner's access from her aforesaid property to the Municipal Saraloor Street.

For Petitioner :M/s.N.Dilip Kumar

For Respondent :Mr.P.Athimoolapandian
Standing Counsel

ORDER

The Petitioner has approached this Court seeking issuance of a Writ of Mandamus directing the respondent to forthwith remove the waste dumping container placed in-front of the Petitioner's property bearing Old Door No.NMC No.43/3-1C/1 and New Door No.NMC.1C/1, Saraloor Street, Nagercoil Village and Municipal limits, Agastheeswaram Taluk, Kanyakumari District and consequently to forebear the respondents from doing any act in the manner of preventing the Petitioner's access from her aforesaid property to the Municipal Saraloor Street.

<https://hcservices.ecourts.gov.in/hcservices/>

2.Heard the learned counsel appearing on either side and

perused the materials placed before this Court.

3. In the last hearing date, I.e., on 21.3.2017, the learned Standing Counsel appearing for the respondent/Municipality was instructed to remove the Waste Dumping Container placed in front of the gate of the Petitioner's property bearing Old Door No.NMC No.43/3-1C/1 and New Door No.NMC.1C/1, Saraloor Street, Nagercoil Village and Municipal limits, Agastheeswaram Taluk, Kanyakumari District and he was directed to report compliance before this Court today.

4. When the matter is taken up for hearing, the learned counsel for the respondent submits that as per the direction of this Court, Waste Dumping Container placed in front of the gate of the Petitioner's property has been removed.

5. The learned counsel for the Petitioner has also accepts the same.

6. In view of the same, nothing remains for consideration in this Writ Petition and accordingly, the Writ Petition is closed. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

The Municipal Commissioner,
Nagercoil Municipality,
Nagercoil,
Kanyakumari District.

+1cc to M/s. N.DILIP KUMAR Advocate in SR. No.17939

VSN
JS/JC/SAR.4/5/04/2017/2P-3C

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