



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 12.06.2017

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM
and
THE HONOURABLE MR.JUSTICE N.AUTHINATHAN

W.P (MD) No.5956 of 2017
and
W.M.P (MD) No.4696 of 2017

N.Thirukumaran

.. Petitioner

Vs.

- 1.The District Collector,
Madurai District, Madurai.
- 2.The Superintending Engineer,
National Highways Authority, NH7,
K.Pudur, Madurai.
- 3.The Divisional Engineer,
National Highways, No.7,
Thallakulam, Madurai - 625 002.
- 4.The Tahsildar,
Thirupparankundram Taluk,
Madurai - 625 006.
- 5.The Block Development Officer,
Thirupparankundram Taluk,
Madurai - 625 006.

.. 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 1 to 4 herein to ensure that the Nethaji Bus Stop situated at Madurai Thirumangalam NH7, Puliyangulam Junction, Madurai is not demolished or shadow shed (Nilarkudai) by any persons on the basis of the representation dated 28.03.2017.

For Petitioner : M/s.K.Malathi

For Respondents 1 to 4 : Mr.M.Govindan,
Special Government Pleader.

<https://hcservices.ecourts.gov.in/hcservices/>
For Respondent No.5 : Mr.T.S.Mohammed Mohideen,
Additional Government Pleader.

**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 direct the respondents not to demolish the shadow shed of Nethaji Bus Stop situated at Madurai - Thirumangalam NH7, Puliyangulam Junction, Madurai, by way of issuing a writ of mandamus, on the basis of representation dated 28.03.2017.

2.The learned Special Government Pleader appearing for the respondents 1 to 4 and the learned Additional Government Pleader appearing for the fifth respondent have represented that one Kasimayan has illegally demolished the shadow shed mentioned in the petition and a criminal case has been registered against him.

3.Considering the representation made on the respondents, it shows that the concerned shadow shed is not now in existence. Under the said circumstances, the relief sought in the writ petition has become infructuous.

4.The learned counsel appearing for the petitioner has contended to the effect that the authorities can be directed to put up a shadow shed in the same place in future.

5.As adverted to earlier, the corpus is not in existence. Under the said circumstances, the relief sought in the writ petition cannot be granted and therefore the writ petition deserves to be dismissed.

6.In fine, this writ petition is dismissed without costs. The petitioner is directed to give a fresh representation to the concerned authorities for putting up a shadow shed in the same place in future. Consequently, connected Miscellaneous Petition is dismissed.

Sd/-
Assistant Registrar(CS I)

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
Madurai District, Madurai.

2.The Superintending Engineer,
Madurai Highway Authority, NH7,
K.Pudur, Madurai.



3.The Divisional Engineer,
National Highways, No.7,
Thallakulam,
Madurai - 625 002.

4.The Tahsildar,
Thirupparankundram Taluk,
Madurai - 625 006.

5.The Block Development Officer,
Thirupparankundram Taluk,
Madurai - 625 006.

+1cc to M/S.Special Government Pleader,SR.60228
+1cc to M/S.K.Malathi,Advocate,SR.59825

ORDER MADE IN
W.P (MD) No.5956 of 2017
and
W.M.P (MD) No.4696 of 2017
12.06.2017

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KK/GT/SAR3-20.06.2017-3P-8C