



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P. (MD) No.21581 of 2019

and WM.P. (MD) .No.18253 of 2019

V.Chokkalingam

... Petitioner

vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The Commissioner
Kodaikanal Municipality,
Kodaikanal,
Dindigul District.

3.The Tahsildar,
Kodaikanal,
Dindigul District.

... Respondents

PRAYER:

Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of mandamus, directing the 2nd Respondent to remove the bushes and Julia Flora Plants on the common pathway in Survey No.T.S.No.45 measuring 0.00.50 Ares in Ward No.C, M.M.Street, Kodaikanal Municipality, Dindigul District under the control and jurisdiction of 2nd Respondent and take steps to lay a cement road on it, on the basis of the petitioner's representation dated 10-08-2019.

For Petitioner : Mr.K.Malaimaran

For Respondents : Mr.T.S.Mohamed Mohideen

Standing Counsel for R- 2

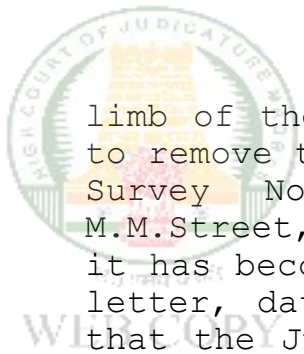
Mrs.J.Padmavathi Devi

Special Government Pleader for RR-1 & 3

O R D E R

This writ petition has been filed directing the 2nd respondent to remove the bushes and Julia Flora Plants on the common pathway in Survey No.T.S.No.45 measuring 0.00.50 Ares in Ward No.C, M.M.Street, Kodaikanal Municipality, Dindigul District under the control and jurisdiction of 2nd Respondent and take steps to lay a cement road on it, on the basis of the petitioner's representation dated 10-08-2019.

2.When the matter is taken up for hearing, the learned Standing Counsel appearing for the second respondent submitted that the first



limb of the prayer sought for by the petitioner to the effect that to remove the bushes and Julia Flora Plants on the common pathway in Survey No.T.S.No.45, measuring 0.00.50 Ares in Ward No.C, M.M.Street, Kodaikanal Municipality, Dindigul District is concerned, it has become infructuous. He has also produced a photocopy of the letter, dated 19.10.2019 written by the second respondent stating that the Julia Flora trees available in the place mentioned by the petitioner were all removed and a suitable proposal has been sent to the Commissioner of Municipal Administration, Chennai and once fund is allocated, they will take further steps in respect of laying of road. The learned counsel for the second respondent further submitted that they can take action only after four months. The letter of the second respondent, dated 19.10.2019 is taken on file and shall form part of the records. The writ petitioner is also agreeable for the proposal.

3.In view of the letter sent by the second respondent, this writ petition is disposed of with liberty to the petitioner to approach the Court, if there be any need. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(P & A)

// True Copy //

Sub Assistant Registrar(CS)

vs

To

- 1.The District Collector,
Dindigul District,
Dindigul.
- 2.The Commissioner
Kodaikanal Municipality,
Kodaikanal, Dindigul District.
- 3.The Tahsildar,
Kodaikanal,
Dindigul District.

+1CC TO MR.T.S.MOHAMED MOHIDEEN, Advocate Sr. No.93409
+1CC TO MR.K.MALAIMARAN, Advocate Sr. No. 93213
+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No.94061

W.P. (MD) No.21581 of 2019

21.10.2019

GKG(CO)

TR(07.11.2019) 2P 7C