



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.07.2020

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.6765 of 2020
and
W.M.P. (MD)No.6151 of 2020

Bharathi

... Petitioner

Vs

1.The Directorate of Town Panchayat,
Commissionerate of Municipal Administration,
MRC Nagar, Raja Annamalai Puram,
Chennai - 600 028.

2.The District Collector,
Theni District,
Theni.

3.The Executive Officer,
Poothipuram Town Panchayat,
Poothipuram,
Theni District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st and 2nd respondents to take appropriate action and restrain the 3rd respondent from constructing the public toilet in S.No.333/22, Boothipuram Town Panchayat, Theni District blocking the ingress and egress of the petitioner's pathway and by encroaching the oodai situated in S.No.333/22, Boothipuram Town Panchayat, Theni District by considering the petitioner's representation dated 20.05.2020.

For Petitioner : Mr.R.Maheswaran

For Respondents : Mr.Aayiram K.Selvakumar
Additional Government Pleader

O R D E R

Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.



2.The writ petition has been filed for restraining the third respondent from constructing the toilet in question in the petition mentioned survey number. The petitioner's counsel alleges that toilet has come up encroaching a water channel. He would also claim that her rights of ingress and egress has been affected. The writ petition was filed on 11.06.2020. It has come up for hearing before me only today i.e., 09.07.2020. In the meanwhile, 90 percent of the work has already been completed. I am therefore of the view that the writ petition has virtually become infructuous. Therefore, the same stands dismissed. However, liberty is given to the petitioner to move the jurisdictional Civil Court to enforce her civil rights, if any. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

1. The Directorate of Town Panchayat,
Commissionerate of Municipal Administration,
MRC Nagar, Raja Annamalai Puram,
Chennai - 600 028.
2. The District Collector,
Theni District, Theni.
3. The Executive Officer,
Poothipuram Town Panchayat,
Poothipuram, Theni District.

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