



WEB COPY

W.P.(MD)No.233 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.02.2021

CORAM

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

**W.P. (MD) No.233 of 2021**

**and**

**W.M.P. (MD) No.192 of 2021**

RM.Palaniappan

.. Petitioner

Vs

1.The Divisional Engineer,  
Highways Department,  
Pudukkottai,  
Pudukkottai District.

2.The Assistant Divisional Engineer,  
Highways Department,  
Thirumayam,  
Pudukkottai District.

3.The Assistant Engineer,  
Highways Department,  
Ponnamaravathy,  
Pudukkottai District.

.. Respondents

**PRAYER:**Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, forbearing the respondents and their subordinates from laying any road laying work or any other laying of block cement stone over the natham Survey Nos.840, 841/10 and 841/11 of Ponnamaravathy West Village, Ponnamaravathy Taluk, Pudukkottai District.

For Petitioner : Mr.D.Parisuthanathan

For Respondents : Mr.C.Ramesh  
Special Government Pleader

**ORDER**

When the matter is taken up for hearing today, a status report, dated 02.02.2021 has been filed on behalf of the 2<sup>nd</sup> respondent before this Court. The relevant portion of the status report reads as under:-

"3.It is humbly submitted that, Bituminous Terrace work has been done on the existing Bituminous Terrace road of having 7.00m width which has been maintained by the Highways department more than 35 years and not any widening work



carried out. The petitioner's land of S.F.No.840, 841/10 & 11 has surveyed by Revenue Department and identified that the proposed Paver Block laying area is within the above SF Nos. Still there is no any Paver Block work has been carried out in this location by the Highways Department. In future also, no proposal to carry out the Paver Block work in the petitioner's land of S.F.No.840/841/10&11."

2.In view of the categoric stand that the respondents would not carry on any work in the petitioner's land, this Court finds that no cause of action survives for any adjudication and therefore, this Writ Petition stands dismissed as having become infructuous. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

mm

To

- 1.The Divisional Engineer,  
Highways Department,  
Pudukkottai,  
Pudukkottai District.
- 2.The Assistant Divisional Engineer,  
Highways Department,  
Thirumayam,  
Pudukkottai District.
- 3.The Assistant Engineer,  
Highways Department,  
Ponnamaravathy,  
Pudukkottai District.

+1 CC to SPL GP ( SR-3090[F] dated 03/02/2021 )

**W.P. (MD) No.233 of 2021**  
**02.02.2021**

VB (16.02.2021) 2P 5C

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