

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2022

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.NO.17291 OF 2009

AND

W.M.P.NO.1 OF 2009

P.Kaliappan

...Petitioner

Vs.

1.The Collector,
Tiruppur District,
Tiruppur.

2.The Revenue Divisional Officer,
Tiruppur,
Tiruppur District.

3.The Tahsildar,
Tiruppur Taluk,
Tiruppur District.

4.The Inspector of Police,
Mangalam Police Station,
Tiruppur Taluk,
Tiruppur District.

...Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, forbearing the respondents from obstructing the supply of water taking from the bore well of the petitioner situated in S.No.607/1, Murugampalayam, Vanjipalayam (RS), Puthupalayam Village, Avanashi Taluk, Tiruppur District through tanker lorries for domestic and drinking purposes in and around Tiruppur by the petitioner.

For Petitioner : Mr.S.Doraisamy

For Respondents : Mr.C.Sathish
Government Advocate

O R D E R

This writ petition was filed for issue of writ of mandamus forbearing the respondents obstructing the supply of water from

bore well and the open well belonging to the petitioner through tanker lorries for domestic and drinking purposes.

2. When the matter was taken up for hearing on 13.06.2022, this Court directed the learned Government Advocate to take instructions and report about the present status of the case.

3. When the matter was taken up for hearing today, the learned Government Advocate produced the written instructions received from the Tahsildar, Avinashi. It is seen that the petitioner was originally transporting water through three lorries. The petitioner died on 20.03.2017. The wife of the petitioner viz., Indrani had produced the Death Certificate of the petitioner and had given in writing to the Tahsildar that out of the three lorries, she has sold two lorries and only one lorry is being utilized for transporting water. She has further stated that she has not been granted any permission for selling water and using it for commercial purposes.

4. In view of the development, the cause of action for filing the writ petition no longer survives. Till the wife of the deceased petitioner utilizes water for domestic and drinking purposes, she shall not be disturbed in any manner and it shall be ensured that the water is not used for commercial purposes.

5. This writ petition is disposed of accordingly. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CCC)

// True Copy //

Sub Assistant Registrar

ssr

To

1. The Collector,
Tiruppur District,
Tiruppur.

2. The Revenue Divisional Officer,
Tiruppur,
Tiruppur District.

3. The Tahsildar,
Tiruppur Taluk,
Tiruppur District.

4.The Inspector of Police,
Mangalam Police Station,
Tiruppur Taluk,
Tiruppur District.

+1cc to M/s.S.Doraisamy, Advocate Sr.No.39480

+1cc to the Government Pleader Sr.No.39881

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and W.M.P.No.1 of 2009

RLD(CO)
RVM(11/07/2022)