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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2022

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI,
ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU
W.P.No.17795 of 2021

Vinayaka Avenue Residents Welfare Association
Rep. by its Secretary N.Sambasivam
Tamilkudimagan 2nd Street
Kovilambakkam
Chennai-600 129.

.. Petitioner

Vs.

- 1 The District Collector
Chengalpet District
Chengalpet-603 001.
- 2 The Block Development Officer
St. Thomas Mount Panchayat Union
Chitlapakkam, Chennai-600 064.
- 3 The Executive Officer
Kovilambakkam Panchayat
S.Kolathur Road, Kovilambakkam,
Chennai-129.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents to drop the proposal and construction of the overhead water tank in the middle of the public street, and to remove the steal pillars and construction materials at Tamilkudimagan Nagar, 2nd Street, Kovilambakkam, within the jurisdiction of Kovilambakkam Panchayat, St.Thomas Mount Panchayat Union, Chengalpet District.

For the Petitioner : No appearance



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For the Respondents : Mrs.R.Anitha,
Special Government Pleader,
for the first respondent

No appearance - for
respondents 2 and 3

ORDER

(Order of the Court was made by
the Hon'ble Acting Chief Justice)

None appears on behalf of the petitioner.

2. The writ petition has been filed seeking a restraint order against the respondents from constructing the overhead tank in the middle of the public street and to remove the steel pillars and construction materials from the place indicated by the petitioner.

3. Learned Special Government Pleader has filed an affidavit to indicate that a decision has been taken to construct the overhead tank in the land in S.No.432, located in Kovilambakkam Panchayat Community Hall premises and accordingly, the overhead tank would not be constructed at the place indicated by the petitioner. It is also stated that the construction materials have already been removed. The facts aforesaid have been mentioned in paragraph 5 of the affidavit filed on behalf of the third respondent.

4. In view of the aforesaid, the writ petition has become infructuous, as the respondents would not be constructing the overhead tank at the place indicated by the petitioner and rather, it would be constructed in the land at S.No.432 in Kovilambakkam Panchayat Community Hall premises.

5. The writ petition is, accordingly, disposed of. There will be no order as to costs. WMP No.18981 of 2021 is closed.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

kpl



To:

- 1 The District Collector
Chengalpet District
Chengalpet-603 001.
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St. Thomas Mount Panchayat Union
Chitlapakkam, Chennai-600 064.
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Kovilambakkam Panchayat
S.Kolathur Road, Kovilambakkam,
Chennai-129.

+1 cc to M/s.Brunocruz, Advocate Sr.NO. 1406

+1cc to the Government Pleader, S.R.No.1939

[29/04/2022]

W.P.No.17795 of 2021

ksm(CO)
A.SK(11.01.2022)