



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.02.2022

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WEB COPY

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. (MD) .No.2666 of 2014

and

M.P. (MD) .No.1 of 2014

S.M.Savarinathan

... Petitioner

Vs.

1.The District Collector,
Trichy District,
Trichy.

2.The Executive Officer,
Musiri Selection Grade Town Panchayat,
Musiri Taluk,
Trichy.

3.The Sanitary Inspector,
Musiri Selection Grade Town Panchayat,
Musiri Taluk,
Trichy.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the second respondent from constructing a new public toilet approximately within 10 feet distance from the petitioner's residential house proposed to be constructed within the boundary of Musiri Old Bus Stand, Musiri, Trichy District.

For Petitioner : Mr.B.Saravanan

For R-1 : Mr.T.Amjad Khan,
Government Advocate.

For R-2 : No appearance

ORDER

Learned Government Advocate appearing for the first respondent, on instructions, would submit that the toilet which is the subject matter of this Writ Petition was constructed in the year 2013 itself and therefore, nothing survives for further adjudication in this Writ Petition.

<https://hccservices.mca.gov.in/tcse/Pets>



2. Learned counsel for the petitioner, though present, is unable to get instructions from his client with regard to the submissions made by the learned Government Advocate. Even on the last hearing date on 07.02.2022, learned counsel for the petitioner sought time to get instructions. But, despite sufficient opportunity having been given, learned counsel is unable to get instructions.

3. Therefore, this Court will have to necessarily accept the submission made by the learned Government Advocate appearing for the first respondent.

4. After recording the statement made by the learned Government Advocate, this Writ Petition is dismissed as infructuous. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Lm

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

The District Collector,
Trichy District,
Trichy.

+1 CC to M/s.B.SARAVANAN, Advocate (SR-5274[F] dated 10/02/2022)

+1 CC to M/s.SPL GP (SR-5390[F] dated 10/02/2022)

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RK(22/02/2022) 2P 4C