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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.03.2023

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.14664 of 2018

P.Ayyakannu . . . Petitioner

vs.

The Commissioner of Police
Chennai City
No.132, EVK Sampath Road,
Vepery, Chennai-600007 . . . Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus or any order or direction in the nature of Writ calling for the impugned order passed by the respondent on 28.05.2018 vide No.767/Tha/Pi.2/2018 and quash the same as unreasonable and consequently direct the respondent to grant permission to the petitioner to conduct “Thodar Kathiruppu Porattam” at Chepauk Chennai between 10.06.2018 and 20.06.2018 as per the petitioner's representation dated 15.05.2018.

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For Petitioner : M/s.S.Muthukrishnan

For Respondent : Mr. M.Alagu Goutham,
Government Advocate

ORDER

This Writ Petition has been filed seeking the relief of quashment of the impugned order dated 28.05.2018 which came to be passed by the respondent herein and for a direction to the respondent to permit the petitioner to conduct "Thodar Kathiruppu Porattam" at Chepauk Chennai between 10.06.2018 and 20.06.2018 based on the representation made by the petitioner on 15.05.2018.

2. It is the case of the petitioner that the petitioner petitioner being a State President of National South Indian River Interlinking Agriculturist Sangam had made a representation dated 15.05.2018 before the respondent herein seeking permission to conduct "Thodar Kaathiruppu porattam" at Chepauk Chennai between 10.06.2018 and 20.06.2018 for constructing small dams in order to make efficient use of the surplus water flowing from the rivers of Tamil Nadu. However, the said representation was denied by the 1st respondent vide the order impugned in this Writ Petition.

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3. Learned counsel for the petitioner submits that due to efflux of time, the relief sought for this Writ Petition has become infructuous as five years have lapsed since the representation made by the petitioner. Therefore the petitioner may be given liberty to make an application if the similar situation arises in future.

4. In view of the above, since the prayer sought in this Writ Petition has become infructuous, nothing survives for further adjudication in this matter. Hence, liberty is granted to the petitioner to make appropriate application before the authority concerned if so required. If any such application is filed, the respondent is directed to consider the same on merits and pass appropriate orders in accordance with law, after affording an opportunity of personal hearing to the petitioner.

M.DHANDAPANI, J.

5. Accordingly, this Writ Petitions stands dismissed as infructuous.

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There shall be no order as to costs.

07.03.2023

NHS

Index : Yes / No
Internet : Yes / No

To

The Commissioner of Police
Chennai City
No.132, EVK Sampath Road,
Vepery, Chennai-600007

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