



W.P(MD)No.9538 of 2023

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED:24.04.2023**

**CORAM**

**THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN**

**W.P(MD).No.9538 of 2023**  
**and WMP(MD)No.8513 of 2023**

R.Antonyraj

... Petitioner

Vs

1. The District Collector,  
Thoothukudi District, Thoothukudi.
2. The Block Development Officer  
/ The Commissioner,  
Block Development Office,  
Sathankulam, Thoothukudi District.
3. The Tahsildar,  
Sathankulam Taluk, Sathankulam,  
Thoothukudi District.
4. The President,  
Periyathazhai Panchayath, Periyathazhai,  
Thoothukudi District.
5. The Special Tahsildar,  
Adi Dravidar Welfare Department,  
Tiruchendur, Thoothukudi District.

... Respondents



W.P(MD)No.9538 of 2023

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the respondents 1 to 4, their men, agents, etc., from constructing the overhead water tank in the middle of 20 feet road in S. No.583, Padukkapathu Village, Sathankulam, Thoothukudi District and consequently direct the respondents 1 to 4 to relocate the proposed over head water tank to some other place by considering the petitioners representation, dated 21.03.2023.

|                |                                                   |
|----------------|---------------------------------------------------|
| For Petitioner | :Mr.N.Pragalathan                                 |
| For R1,R3,R5   | :Mr.N.Muthu Vijayan<br>Special Government Pleader |
| For R2,R4      | :Mr.M.Ramesh                                      |

### **ORDER**

Heard, Mr.N.Pragalathan, the learned counsel, who appears on behalf of the petitioner, Mr.N.Muthu Vijayan, the learned Special Government Pleader, who appears on behalf of the respondents 1, 3 and 5 and Mr.M.Ramesh, learned counsel, who appears on behalf of the respondents 2 and 4.

2.The writ petition had been filed in the nature of a mandamus, seeking a negative relief against the second to fourth respondents from constructing an overhead water tank in the middle of 20 feet road in S. No. 583, Padukkapathu Village, Sathankulam, Thoothukudi District.



*W.P(MD)No.9538 of 2023*

3. Even before examining the merits of the case, the respondents 2 and 4 had forwarded written instructions that there is no intention to put up an overtank at the place complained by the petitioner herein.

4. The said instructions are recorded. Nothing survives for further adjudication in the issue.

5. Consequent to the instructions received from the respondents 2 and 4, this writ petition stands disposed. No costs. Consequently, connected miscellaneous petition is closed.

**24.04.2023**

NCS : Yes/No  
Index : Yes/No  
Internet: Yes/No  
PNM



W.P(MD)No.9538 of 2023

To

1. The District Collector,  
Thoothukudi District, Thoothukudi.
2. The Block Development Officer  
/ The Commissioner,  
Block Development Office,  
Sathankulam, Thoothukudi District.
3. The Tahsildar,  
Sathankulam Taluk, Sathankulam,  
Thoothukudi District.
4. The President,  
Periyathazhai Panchayath, Periyathazhai,  
Thoothukudi District.
5. The Special Tahsildar,  
Adi Dravidar Welfare Department,  
Tiruchendur, Thoothukudi District.



WEB COPY



*W.P(MD)No.9538 of 2023*

**C.V.KARTHIKEYAN, J.**

PNM

ORDER IN  
**W.P(MD).No.9538 of 2023**  
**and WMP(MD)No.8513 of 2023**

**24.04.2023**