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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.07.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.15759 of 2015

C.Suresh ... Petitioner

Vs

1.The Assistant Director,
Health Department,
Krishnankovil,
Nagercoil,
Kanyakumari District.

2.The Executive Officer,
Panchayat Office,
Arumanai,
Kanyakumari District.

3.The Inspector,
Health Department,
Arumanai,
Kanyakumari District.

4.Ponnupillai ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to take action based on the petitioner's representation dated 25.06.2015.

https://www.mhc.tn.gov.in/judis

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For Petitioner : Mr.F.Deepak

For Respondents : Mr.N.Satheesh Kumar
Additional Government Pleader
for R.1 & R.3

Mr.M.Alagathevan for R.2

Mr.B.Christopher for R.4

ORDER

Heard the learned counsel on either side.

2. The learned counsel appearing for the petitioner relies on the decision reported in ***2011 1 CTC 458*** in support of his contention that a septic tank cannot be put up within 50 feet from the water source. According to the petitioner, the fourth respondent had established the septic tank within this prohibited distance.

3. When the matter was taken up for hearing, the learned Additional Government Pleader submitted that the petitioner is no more and the septic tank put up by the fourth respondent has also been closed. If the legal heirs of the writ petitioner is still having any subsisting grievance, they can move this Court again for appropriate relief if the same cause of action does survive.

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4. This writ petition is disposed of accordingly. There shall be no order as to costs.

26.07.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA

To

1.The Assistant Director,
Health Department,
Krishnankovil,
Nagercoil,
Kanyakumari District.

2.The Executive Officer,
Panchayat Office,
Arumanai,
Kanyakumari District.

3.The Inspector,
Health Department,
Arumanai,
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G.R.SWAMINATHAN, J.

MGA

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