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W.P.(MD)NO.17777 OF 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.07.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.17777 of 2015 AND

M.P.(MD)No.1 of 2015

A.Sutharson

... Petitioner

Vs.

1. The Project Director,
National Highways Authorities,
Plot No.112, Rahumath Nagar,
Tuticorin Road, Tirunelveli,
Tirunelveli District.
2. The District Collector,
Kanyakumari District,
Nagercoil.
3. The Tahsildar,
Agasteeswaram Taluk,
Nagercoil,
Kanyakumari District.
4. The Superintending Engineer,
Non Coventional Energy System,
Wind Form, Magaraja Nagar,
Tirunelveli.
5. The Managing Director,
M/s.Metal Powder Company Ltd.,
Maravankulam,
Thirumangalam Taluk,
Madurai District.

... Respondents



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Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to restrain the 5th respondent from being engaged in completing the erection process of windmill in Survey No.1023/1A, 1023/1B/1C at Anjugramam village, Kanyakumari District belonging to the 1st respondent and adjacent to petitioner's agricultural property in pursuance of petitioner's representation dated 06.11.2013 forthwith.

For Petitioner : No appearance.
For R-1 : Mr.C.Arul Vadivel @ Sekar,
for M/s.C.Arul Vadivel Associates.
For R-2 to R-4 : Mr.S.Shanmugavel,
Additional Government Pleader.
For R-5 : Mr.A.P.Athithan

* * *

ORDER

None appears for the petitioner.

2. When the matter was taken up for hearing, the learned counsel appearing for the fifth respondent submitted that the windmill had already been erected and it was already commissioned even before the writ petition was filed.



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3. The stand of the Tahsildar, Agasteeswaram is that the property in question had already been acquired. But then, the windmill continues to exist.

4. These averments have not been contested by the petitioner. The writ petition was infructuous even at the inception. It stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

21.07.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
PMU



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To:

1. The District Collector,
Kanyakumari District,
Nagercoil.
2. The Tahsildar,
Agadeeshwaram Taluk,
Nagercoil,
Kanyakumari District.
3. The Superintending Engineer,
Non Coventional Energy System,
Wind Form, Magaraja Nagar,
Tirunelveli.



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G.R.SWAMINATHAN,J.

PMU

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