

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2015

CORAM

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI
AND

THE HON'BLE MR.JUSTICE M. VENUGOPAL

W.P. No.10342 of 2014 and M.P. Nos.1 & 2 of 2014

M.K. Ramesh

Petitioner

Vs.

- 1 The Member Secretary
Karaikal Town Planning Authority
Karaikal Region
Union Territory of Puducherry
- 2 The Board of Trustees
Sri Ragunatha Perumal
Sri Venkadasa Perumal Vagaiyara Devasthanam
T.R. Pattinam
Karaikal Region
Union Territory of Puducherry
represented by its President S. Sunderajan
- 3 M.B.M. Charitable Education Trust
Gandhi Salai
T.R. Pattinam
Karaikal Region
Union Territory of Puducherry
represented by its Managing Trustee
Mr. K. Baskaran

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the first respondent to take appropriate action to stop the illegal construction put up by the third respondent in an extent of 31 Are and 50 Santhiyar of lands in Survey No.65/2 in Polagam Village, T.R. Pattinam Commune Panchayat, Karaikal Region, Union Territory of Puducherry, which is being made in violation of Section 47(3) of the Puducherry Town and Country Planning Act, 1969 and take appropriate action against the third respondent for violating the said law, within a time frame.

For petitioner	Mr. S. Sathia Chandran
For R1	Mrs. N. Mala
	Additional Govt. Pleader-Puducherry
For R2	No appearance
For R3	Mr. T.S. Baskaran

ORDER

(Order of the Court was made by SATISH K. AGNIHOTRI, J.)

The petitioner, stating to be an affected party by the action of the third respondent, has come up with the instant writ petition, seeking a direction to first respondent to take appropriate action to stop the illegal construction put up by the third respondent in an extent of 31 Are and 50 Santhiyar of lands in Survey No.65/2 in Polagam Village, T.R. Pattinam Commune Panchayat, Karaikal Region, Union Territory of Puducherry, which is being made in violation of Section 47(3) of the Puducherry Town and Country Planning Act, 1969 and take appropriate action against the third respondent for violating the said law.

2 Today, when the matter was taken up for hearing, the learned counsel for the petitioner fairly pointed out that during the pendency of this writ petition, the first respondent, by order dated 27.11.2014, had granted permission to the third respondent to erect/execute the work for the construction of a two storied institutional building for M/s. Aurobindo English School at R.S.No.65/2, Pudhupalayam Street, Polagam Revenue Village, T.R. Pattinam Commune, Karaikal and also, the said permit was made valid for three years from the date of issue, subject to certain other conditions. A copy of the said order dated 27.11.2014 has been filed by the third respondent, along with his application for vacating the stay, which is a part of the record. Thus, at this stage, no grievance survives.

3 In view of the above development, nothing remains for adjudication in this writ petition as the matter has become infructuous. If any other grievance survives or arises, the petitioner is at liberty to work out his remedy in the manner known to the legal provisions.

4 Resultantly, the writ petition is closed as having become infructuous. No costs. Connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

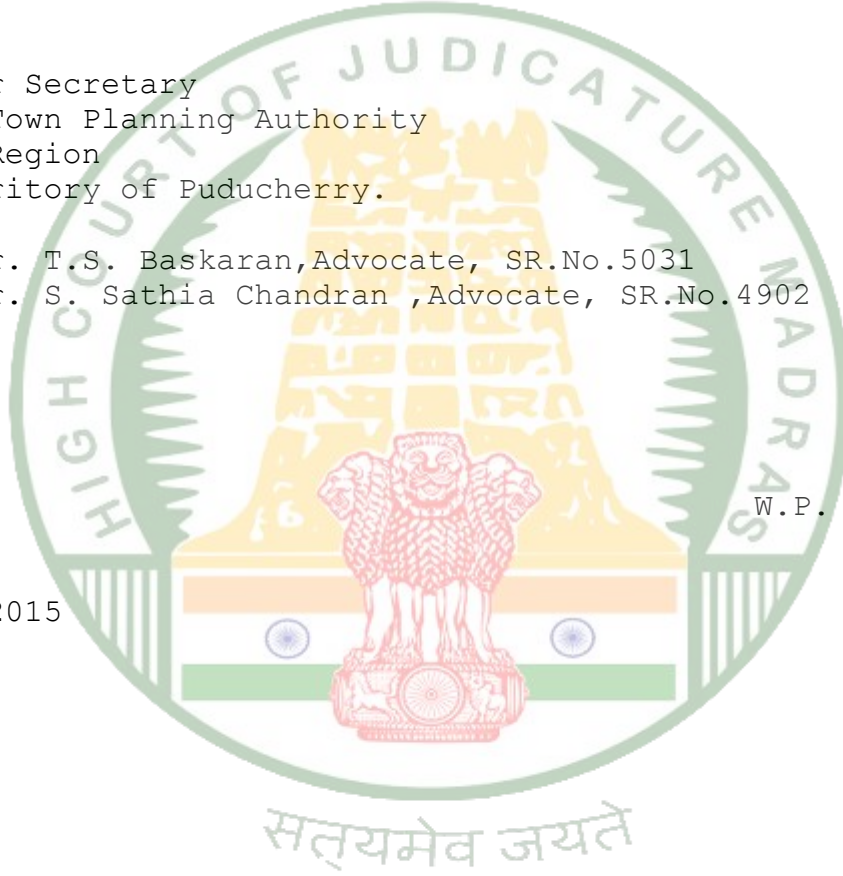
To

The Member Secretary
Karaikal Town Planning Authority
Karaikal Region
Union Territory of Puducherry.

1 cc to Mr. T.S. Baskaran, Advocate, SR.No.5031
1 cc to Mr. S. Sathia Chandran , Advocate, SR.No.4902

NM (CO)
PMK.10.2.2015

W.P. No.10342 of 2014



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