



WEB COPY

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.09.2015

CORAM :

THE HONOURABLE MR.JUSTICE R.SUDHAKAR

and

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Writ Petition (MD) No.17286 of 2015

M.Amuthavalli

... Petitioner

Vs.

1.The District Collector,
Theni District,
Theni.

2.The Revenue Divisional Officer,
Uthamapalayam,
Theni District.

3.The Tahsildar,
Uthamapalayam Taluk,
Uthamapalayam,
Theni District.

4.The Assistant Engineer,
Highways Department
(Building & Maintenance)
Uthamapalayam,
Theni District.

5.The Commissioner,
Chinnamanur Municipality,
Chinnamanur,
Theni District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the order made in Ku.No. 17/2015/U.Po.(Ne) Ka (Ma)/Pa dated 29.08.2015 and quash the same and forbearing the Respondents their men officers subordinates or their agents from any manner proceedings against the Petitioner in respect of two shops in Survey No. 590/1 in shop Nos. 277 & 278 situated at Main road Chinnamaur, Uthamapalyam Taluk, Theni District.

For Petitioner : Mr.K.Guhan

For Respondents 1-4 : Mr.B.Pugalendhi,
Special Government Pleader.

For 5th Respondent : Mr.M.Karuppasamy Pandian



ORDER

(Order of the Court was made by R.SUDHAKAR,J.)

Challenging the notice issued by the competent authority in relation to encroachment on Highways, the present writ petition has been filed. The time for giving reply has already expired.

2.Mr.B.Pugalendhi, learned Special Government Pleader for the respondents 1 to 4 submitted that if action has already been taken by the competent authority, the relief sought for by the petitioner would become infructuous.

3.In view of the above, the writ petition is dismissed. However, if the petitioner submits reply, the authority can consider the same, if not they will proceed in accordance with law. No costs. Consequently, M.P (MD)No.1 of 2015 is closed.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1.The District Collector, Theni District, Theni.

2.The Revenue Divisional Officer,
Uthamapalayam, Theni District.

3.The Tahsildar,
Uthamapalayam Taluk,
Uthamapalayam, Theni District.

4.The Assistant Engineer,
Highways Department
(Building & Maintenance)
Uthamapalayam, Theni District.

5.The Commissioner,
Chinnamanur Municipality,
Chinnamanur, Theni District.

+1cc to Mr.K.Guhan, Advocate SR.No.56201

+1cc to Mr.M.Karuppasamy, Advocate SR.No.56167

+1cc to The Special Government Pleader, Madurai. SR.No.56718

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sms

NS/AAL-MPA/07.10.2015 : 2P/9C