

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.01.2016

CORAM

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
and
THE HON'BLE MR. JUSTICE K.K.SASIDHARAN

W.P. No.40187 of 2015
and
M.P.Nos.1 and 2 of 2015

R.Jeyapal

.. Petitioner

Vs.

The Executive Officer,
Namagiripettai Town Panchayat,
Namakkal District.

.. Respondent

Petition filed under Article 226 of The Constitution of India praying for the issuance of a writ of certiorari to call for the records of the respondent in his proceedings Na.Ka.No.664/2014/A1 dated 01.12.2015 and 14.12.2015 and quash the same.

For Petitioner .. Mr.K.S.Karthik Raja

For Respondent .. Mr.P.S.Sivashanmugha Sundaram,
Spl. Govt. Pleader

सत्यमेव जयते
ORDER

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

With the consent of the learned counsel for the parties, the writ petition is taken up for final disposal.

2.This writ petition is filed seeking to quash the proceedings passed by the respondent in Na.Ka.No.664/2014/A1 dated 01 December 2015 and 14 December 2015.

3.Questioning the correctness of the earlier notice dated 23 March 2015, the petitioner has filed a writ petition being

W.P.No.14885 of 2015, wherein a Division Bench of this Court, in which one of us (Satish K.Agnihotri, J.) was a Member, has passed the following order:

"5.In view of the limited relief now sought by the learned counsel for the petitioner to the extent of directing the respondent to consider and pass orders on the petitioner's representation, without going into the merits of the case, we direct the respondent to consider and pass a reasoned order on the petitioner's representation dated 17.04.2015 on merits and in accordance with law, adverting to each and every averment made in the said representation, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order. Needless to state that no action for removal of encroachment shall be taken, till orders are passed on the petitioner's representation, as aforestated."

4. Thereafter, notices were issued on 01 December 2015 and 14 December 2015. We are informed that pursuant thereto, consequential action has been taken and the encroachment has been fully removed. Thus nothing survives for adjudication in this writ petition. Accordingly, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

-s/d-
Assistant Registrar (CSV)

True Copy

Sub-Assistant Registrar

mmi
To

The Executive Officer,
Namagiripettai Town Panchayat,
Namakkal District.

+1 cc to Mr.K.S.Karthik raja Advocate sr.5523

W.P.No.40187 of 2015

aa10/02/2016