

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:05.07.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN
AND
THE HONOURABLE MR. JUSTICE N.SESHASAYEE

W.P.No.12319 of 2017

G.Balasubramanyam

.. Petitioner

Vs

1. The District Collector,
Erode District.

2. The District Revenue Officer,
Gobichettipalayam,
Erode District.

.. Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 2nd respondent herein to dispose of the appeal comprised in Na.Ka.No.1664/2017/b1 on the file of the 2nd respondent herein dated 14.03.2017.

For Petitioner : Mr.V.Balamurugane

For Respondents : Mr.M.Elumalai,
Government Advocate

ORDER

[Order of the Court was made by M.SATHYANARAYANAN, J.]

By consent, the writ petition is taken up for final disposal.

2. One Mrs.Kalyani and Tvl.Kailasam and K.Mahavishnu have filed WP No.4858 of 2017 against the respondents 1 and 2 as well as against the Executive Officer, Chinnathambipalayam Panchayat, Anthiyur Taluk, Erode District praying for quashment of the proceedings dated 16.02.2017 in Na.Ka.No.7969/2016/A1 issued by the 2nd respondent, and consequently to forbear the respondents

from removing the petitioners respectively from Natham land in their possession in RS.No.1887/6A, 18, 20, Anthiyur Village, Anthiyur Taluk, Erode District. A Division Bench of this Court, vide order dated 28.02.2017, granted liberty to the petitioners therein to invoke the appeal remedy under section 10 of the Tamil Nadu Land Encroachment Act, 1905 and accordingly, they filed an appeal before the District Collector of Erode District.

2. The grievance expressed by the petitioner is that on account of the encroachment, the petitioner is put to grave hardship and since, the appeal filed have not been given disposal, the petitioner has also submitted a representation to the Revenue Divisional Officer of Erode District and dispose the appeal at an early date and in spite of receipt of acknowledgment, he is yet to be favoured with any kind of response and hence, came forward to file this writ petition.

3. This Court heard the submission of Mr.E.Elumalai, learned Government Advocate who accepts notice on behalf of respondents 1 and 2, on instructions would submit that an appeal filed by Mrs.Kalyani, Kailasm and K.Mahavishnu was dismissed by the Collector of Erode District on 01.07.2011 and ordered the removal of the encroachments.

4. In the light of the said development, nothing survives for further adjudication in this writ petition. Therefore, the writ petition is closed and however, the petitioner is at liberty to avail the provisions of the Right to Information Act to get the copy of the said order.

5. The writ petition stands disposed of with the above observations. No costs.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

rka/sk

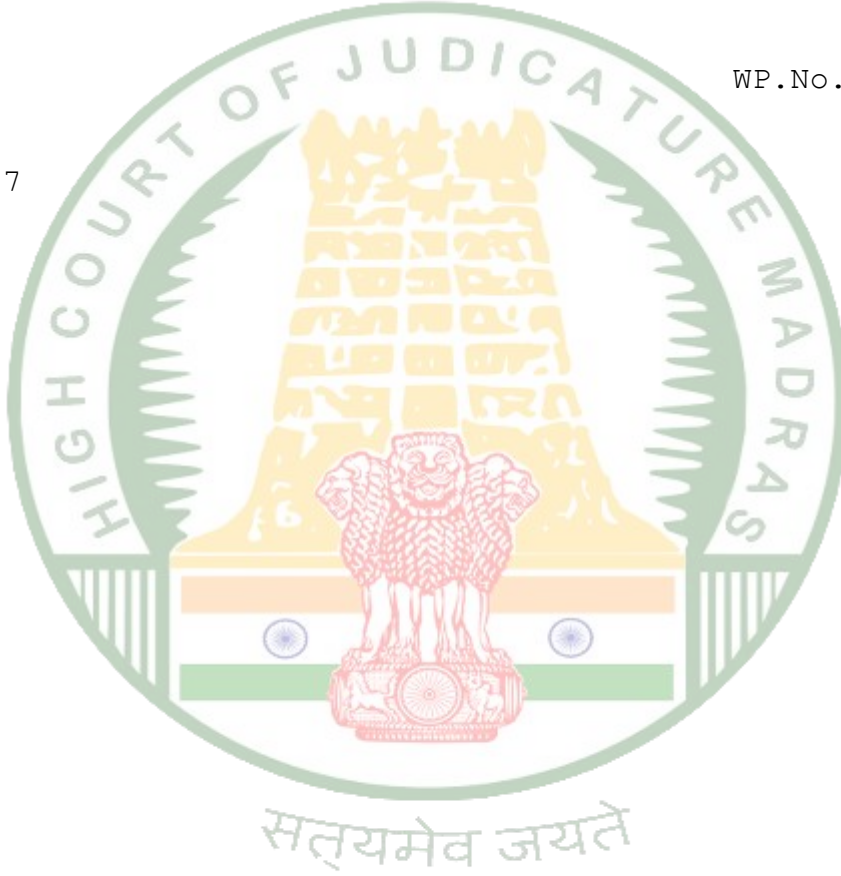
To

1. The District Collector,
Erode District.
2. The District Revenue Officer,
Gobichettipalayam,
Erode District.

+lcc to Mr.V.Balamurugane, Advocate, S.R.No.46715
+lcc to the Government Pleader, S.R.No.47219

WP.No.12319 /2017

LRS (CO)
CS/24/07/17



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