

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.09.2017

C O R A M

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Writ Petition No.30028 of 2003

Thangavel ... Petitioner

Vs.

1. The District Collector,
Dindigul District,
Dindigul.

2. Special Tahsildar,
Adi Dravidar Welfare,
Dindigul.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, calling for the records relating to impugned notice of the 2nd respondent bearing No.Na.Ka.1303/03 dated 28.9.2003.

For petitioner : Mr.A.S.Thambuswamy

For respondents : Mr.A.Zakkir Hussain,
Government Advocate

ORDER

The petitioner and his wife are the owners of the property in Survey Nos.63/2, 63/4, 63/5 and 63/6 in Pachala Naichenpatti Village. While so, for the purpose of providing pathway to reach Adi Dravidar Colony, the 2nd respondent issued a Show Cause Notice dated 28.09.2003 under Rule 3(1) of Act XXXI of the Harijan Welfare Act. Challenging the said Show Cause Notice, the present Writ Petition is filed.

2. While entertaining this Writ Petition, this Court granted stay in respect of dispossession of the petitioner and the 2nd respondent has also filed a counter affidavit stating that the acquisition is necessary for providing pathway to the

Adi Dravidar Colony.

3. Today, when the matter is called, Mr.A.Zakkir Hussain, learned Government Advocate appearing for the respondents has produced a letter dated 01.09.2017 addressed to the Government Advocate furnishing particulars about this case wherein it is specifically stated that as on today, there is a pathway on the south east side of S.No.63/1 where the Adi Dravidar Colony is situated. The said pathway also touches the Survey Nos.66, 65, 62, 53, 55 and 54. Therefore, there is no acquisition proceedings with respect to Survey No.63/6 which belongs to the petitioner. Therefore, according to the respondents, nothing survives in the Writ Petition.

4. Recording the same, the Writ Petition is closed. No costs.

Sd/
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1. The District Collector,
Dindigul District,
Dindigul.

2. Special Tahsildar,
Adi Dravidar Welfare,
Dindigul.

+1cc to Government Pleader SR.No.64148

+1cc to A.S.Thambusamy Advocaes SR.No.63869

SDR 11.10.2017

W.P.No.30028 of 2003

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