

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.07.2017

CORAM

The Honourable MR. JUSTICE M.DURAISWAMY

W.P.No.1071 of 2013
and M.P.No.1 of 2013

THE INSTITUTE OF THE BROTHERS
OF ST. PATRICK
GANDHI NAGAR ADAYAR
CHENNAI-20
REP.BY ITS SECRETARY
BRO.JOHNSON

[PETITIONER]

Vs

- 1 THE COMMISSIONER
CORPORATION OF CHENNAI RIPON BUILDING
CHENNAI-3
- 2 DISTRICT REVENUE OFFICER
LAND AND ESTATE DEPARTMENT
CORPORATION OF CHENNAI
RIPON BUILDING CHENNAI-3
- 3 THE COMMISSIONER OF LAND
ADMINISTRATION
CHEPAUK CHENNAI

(R3-IMPLEADED AS
PER ORDER DT.10/2/14
IN MP.NO.2/13)
(R3 DISMISSED VIDE ORDER
DATED 15.12.2014)

[RESPONDENTS]

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the respondents not to disturb with the petitioners private registered holding admeasuring 10 acres and 2 grounds comprised in T.S.No.2(Part) of Block No.24 in Kottur Village, Mylapore, Triplicane Taluk, Chennai District, before issuing the demand notice and giving fair and reasonable opportunity of being heard and further pending the disposal of appeal filed before Commissioner of Land Administration Chennai(C.L.A).

For Petitioner : Mr.M.L.Ganesh

For Respondents : Mr.K.Venkataramani,
Addl.Advocate General for
Mr.R.Arunmozhi (R1&2)

R3 - Dismissed vide order
dated 15.12.2014

ORDER

The petitioner has filed the above writ petition to issue a writ of mandamus directing the respondents not to disturb their private registered holding admeasuring 10 acres and 2 grounds comprised in T.S.No.2(Part) of Block No.24 in Kottur Village, Mylapore, Triplicane Taluk, Chennai District, before issuing the demand notice and giving fair and reasonable opportunity of being heard and further pending the disposal of appeal filed before Commissioner of Land Administration Chennai(C.L.A).

2. When the matter is taken up for hearing, Mr.K.Venkataramani, learned Additional Advocate General, appearing for the respondents 1 and 2 submitted that the petitioner has filed a writ petition in W.P.No.21619 of 2013 to issue a writ of certiorarified mandamus to call for the records on the file of the Principal Commissioner, Land Administration, Chennai, dated 25.07.2013 and to quash the same with a direction to the 4th respondent therein, to issue patta in favour of the petitioner Institution and that this Court had dismissed the writ petition by order dated 18.09.2013 and as against the order of the learned Judge, the petitioner has preferred an appeal in W.A.No.2053 of 2013 and also obtained an order of status-quo and therefore, nothing survives for adjudication in the present writ petition.

3. The 2nd respondent also filed a counter, wherein, in paragraph No.14, he has stated about the filing of the writ petition and the writ appeal and also the order of status-quo granted by this Court.

4. In view of the order of status-quo granted by this Court, I do not find any reason to keep the writ petition pending, since nothing survives for adjudication in this writ petition.

5. Mr.M.L.Ganesh, learned counsel appearing for the petitioner also agreed with the submissions made by the learned Additional Advocate General.

6. In view of the same, the writ petition has become infructuous. Accordingly, the same is dismissed as

infructuous. No costs. Connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

rg

To

1 THE COMMISSIONER
CORPORATION OF CHENNAI RIPON BUILDING
CHENNAI-3

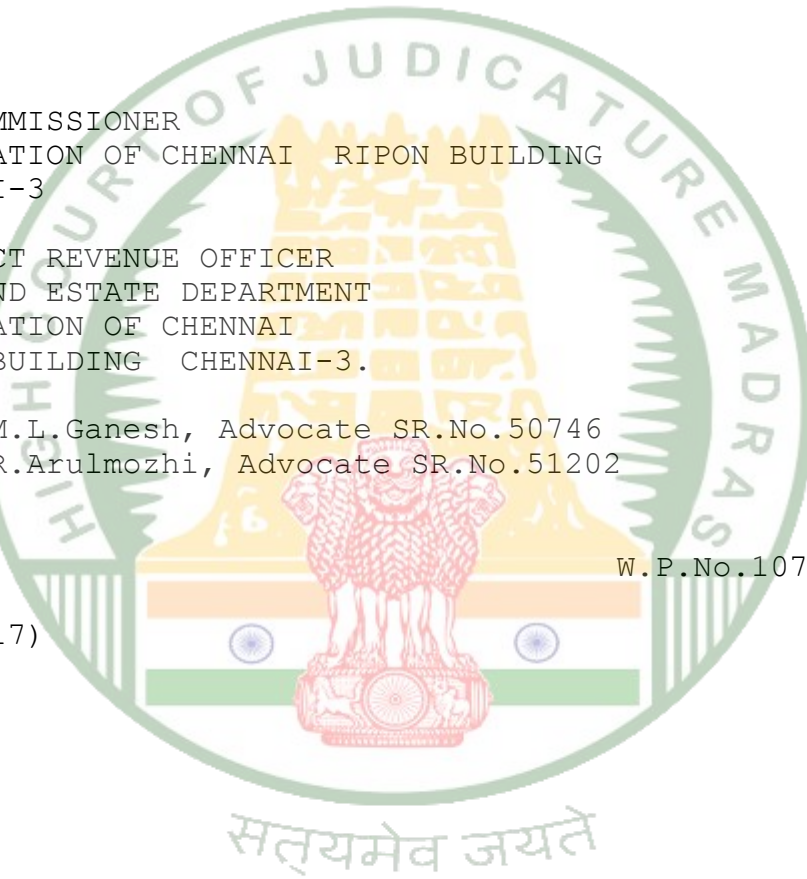
2 DISTRICT REVENUE OFFICER
LAND AND ESTATE DEPARTMENT
CORPORATION OF CHENNAI
RIPON BUILDING CHENNAI-3.

+1cc to Mr.M.L.Ganesh, Advocate SR.No.50746

+1cc to Mr.R.Arulmozhi, Advocate SR.No.51202

W.P.No.1071 of 2013

GJ(CO)
GN(03/08/2017)



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