

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 31.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. [MD].No.12136 of 2014

Chandran

: Petitioner

Vs.

1. The Commissioner,
Madurai East Panchayat Union,
Madurai.
2. The President,
Y.Othakadai Panchayat,
Y.Othakadai,
Madurai.
3. The Tahsildar,
Madurai North Taluk,
Madurai.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to restore the petitioner's premises in Plot No.1A, Neelamega Nagar, Thirumohur, Y.Othakadai, Madurai, which was demolished by the respondents on 10.07.2014 based on the petitioner's representation dated 17.07.2014.

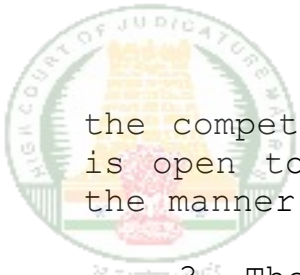
For Petitioner : Mr.M.Ajmal Khan.
For Respondents : Mr.T.S.Mohammed Mohideen,
Additional Government Pleader.

O R D E R

[Order of the Court was made by **K.K.SASIDHARAN, J.**]

The petitioner is no more.

2. Even the prayer in the Writ Petition cannot be granted for the simple reason that the authorities have arrived at a finding that the petitioner is an encroacher. The encroachment was removed. The petitioner ought to have filed a Civil Suit before



the competent Civil Court. Now that the petitioner is no more, it is open to the Legal Representatives to work out their remedy in the manner known to law.

3. The Writ Petition is dismissed with the above observation.
No costs.

Sd/-
Assistant Registrar(P & A)

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner,
Madurai East Panchayat Union,
Madurai.
2. The President,
Y.Othakadai Panchayat,
Y.Othakadai,
Madurai.
3. The Tahsildar,
Madurai North Taluk,
Madurai.

+1cc to M/S. C.VAKEESWARAN, Advocate, SR.No.68890.

+1cc to Special Government Pleader, SR.No.69730.

Order made in
W.P.[MD].No.12136 of 2014
31.07.2017
(2/2)

SML

SDS/MR:KKR/SAR 3/08.08.2017/2P/6C