



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **07.03.2017**

CORAM:

THE HONOURABLE MR.JUSTICE **A.SELVAM**

and

THE HONOURABLE MR.JUSTICE **N.AUTHINATHAN**

W.P (MD) No.2699 of 2017

and

W.M.P (MD) No.2244 of 2017

M.Arumugam

.. Petitioner

Vs.

1.The District Collector,
Madurai, Madurai District.

2.The Revenue Divisional Officer,
Madurai, Madurai District.

3.The Tahsildar,
Iravadanallur,
Madurai South, Madurai.

4.The Commissioner,
Madurai Corporation,
Aringar Anna Maligai,
Thallakulam, Madurai - 2.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned notice dated 30.01.2017 issued by the fourth respondent and quash the same as illegal and consequently directing the respondents not to disturb the peaceful possession and enjoyment in respect of the house comprised in S.No.6/1 at 1/85, Ramanathapuram Road, Iravadanallur, Madurai District.

For Petitioner

: Mr.S.T.Sasidharan Tamilkani

For Respondents 1 to 3

: Mr.M.Govindan,
Special Government Pleader.

For Respondent No.4

: Mr.N.Shanmugaselvam

ORDER

[Order of the Court was made by **A.SELVAM, J.**]



notice dated 30.01.2017 issued by the fourth respondent and quash the same, by way of issuing a writ of certiorarified mandamus.

2.The learned counsel appearing for the petitioner has contended that during pendency of the present writ petition, the fourth respondent has removed the encroachment.

3.Considering the fact that the corpus of the *lis* is not in existence, the relief sought in the writ petition has become infructuous and therefore the present writ petition deserves to be dismissed.

4.In fine, this writ petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is dismissed.

SD/-
ASSISTANT REGISTRAR(CO)

/TRUE COPY/

SUB ASSISTANT REGISTRAR

To

- 1.The District Collector,
Madurai, Madurai District.
- 2.The Revenue Divisional Officer,
Madurai, Madurai District.
- 3.The Tahsildar,
Iravadanallur,
Madurai South, Madurai.
- 4.The Commissioner,
Madurai Corporation,
Aringar Anna Maligai,
Thallakulam, Madurai - 2.

+1 CC TO M/S. N.SHANMUGA SELVAM, ADVOCATE, SR NO.12979

+1 CC TO SPECIAL GOVERNMENT PLEADER ,SR NO.13183

smn

MAS/SV-MMS:SAR3:09.03.2017:2P-7C

ORDER MADE IN
W.P (MD) No.2699 of 2017
and
W.M.P (MD) No.2244 of 2017
07.03.2017