



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.07.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P (MD) No.15633 of 2016
and
W.M.P (MD) No.11490 of 2016

T.Susila

.. Petitioner

Vs.

Theni-Allinagaram Municipality
rep. through its Commissioner,
Theni, Theni District.

.. Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus restraining the respondent from forcibly interfering with the petitioner's peaceful right, possession and enjoyment of petitioner's property and to prevent the respondent or any person claiming under it from laying road or putting up any construction or obstruction or from any other trespass into her private land comprised in Survey No.423/3 admeasuring 92 cents situated at Allinagaram Village, Theni Sub Division and District and consequently direct the respondent to remove the obstructions in the form of road laid therein.

For Petitioner : Mr.N.Dilipkumar
For Respondent : Mr.Hema Karthikeyan

ORDER

This writ petition is filed seeking a writ of Mandamus to direct the respondent not to interfere with the petitioner's peaceful right, possession and enjoyment over her property and to prevent the respondent or any person from laying road or putting up any construction or obstruction or any other trespass into her private land, comprised in Survey No.423/3, admeasuring 92 cents, situated at Allinagaram Village, Theni Sub Division and District and also direct the respondent to remove the obstructions in the form of road laid therein.

2.The grievance of the petitioner is that the contractor engaged on behalf of the respondent municipality tried to lay a road in her private land in Survey No.423/3, admeasuring 92 cents, situated at Allinagaram Village, Theni Sub Division and District and



therefore she gave complaints to the District Collector as well as to the respondent. Since, the same is not considered so far, the petitioner is before this Court.

3. Today, when the matter is taken up for hearing, the learned counsel appearing on either side, reported that the prayer of the petitioner is met with and hence nothing survives for further adjudication in this matter.

4. Recording the same, this writ petition is closed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (AD-II)

/True Copy/

Sub Assistant Registrar

To

The Commissioner,,
Theni-Allinagaram Municipality,
Theni, Theni District.

+ 1 CC TO Mr.K.HEMA KARTHIKEYAN, ADVOCATE IN SR No. 67571

SMN
TE/KK/SAR-IV : 02/08/2017 : 2P/3C

ORDER MADE IN
W.P(MD)No.15633 of 2016 and
W.M.P(MD)No.11490 of 2016
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