



WEB COPY

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.01.2017

CORAM

THE HON'BLE MR.JUSTICE A.SELVAM

and

THE HON'BLE MR.JUSTICE P.KALAIYARASAN

W.P(MD) No.24966 of 2016

K.M.Kadhar Shah

... Petitioner

-vs-

1.The Tahsildar
Thirupattur Taluk,
Sivagangai District.

2.Chandrasekar
3.Muruganandham
4.Muthusamy
5.Muthukumar
6.Adaikka

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified mandamus to call for the records of the impugned peace meeting proceeding of the 1st respondent dated 14.12.2016 and quash the same as illegal and unconstitutional and consequently direct the 1st respondent to give effect to the item No.1 alone regarding the construction of bus shelter in survey No.340/1 an extent of 0.04.00 Ares in Sarkar Purambokku of Karisalpatti Panchayat, Varapur Firka, Thirupattur Taluk, Sivagangai District within a period stipulated by this Court.

For Petitioner	: Mr.A.Haja Mohideen
For R - 1	: Mr.M.Govindan
	Special Government Pleader
For RR - 2 to 6	: Mr.T.Pon Ramkumar

O R D E R

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

This Writ Petition has been filed under Article 226 of the Constitution of India praying to call for records relating to the peace meeting proceedings issued by the first respondent dated 14.12.2016 and quash the same by way of issuing a Writ of



Certiorarified Mandamus.

2.It is averred in the petition that the petitioner is the President of Muslim Jamat Committee, Karisalpatti Town Panchayat, Thirupattur Taluk, Sivagangai District. The first respondent even without giving proper opportunity to the petitioner, has convened a peace committee meeting and to that extent, the impugned proceedings has been issued and in order to quash the same, the present petition has been filed.

3.The learned counsel appearing for the petitioner has repeatedly advanced his argument on the basis of the averments made in the petition.

4.It is an admitted fact that in the present Writ Petition the proceedings dated 14.12.2016 has been challenged and the same has been issued by the first respondent.

5.The learned Special Government Pleader appearing for the first respondent and the learned counsel appearing for the remaining respondents have uniformly contended that in pursuance of the communication dated 13.12.2016, a peace committee meeting has been convened.

6.Considering the fact that in pursuance of the communication dated 13.12.2016, a peace committee meeting has already been convened, this Court is of the view that the relief sought in the Writ Petition has become infructuous.

7.The main grievance expressed on the side of the petitioner is that without giving proper opportunity to the petitioner, the impugned proceedings has been issued.

8.It is seen from the records that one of the resolutions taken in the proceedings dated 14.12.2016 is that in respect of encroachments made in poramboke lands, the same should be removed voluntarily, otherwise, necessary legal proceedings will be taken.

9.As adverted to earlier, the main grievance expressed on the side of the petitioner is that he has not been given proper opportunity to put forth his case.

10.Considering the fact that the petitioner has not been given sufficient opportunity, this Court is inclined to pass the following order:

The petitioner is directed to give a representation to the first respondent. After receipt of the representation, the first respondent is directed to dispose of the same as soon as possible after giving proper opportunity to the persons concerned.



11. With the above observation, this Writ petition is disposed of. No costs. Consequently, WMP(MD) No. 18063 of 2016 is closed.

Sd/-

Assistant Registrar (P&A)

/True Copy/

Sub Assistant Registrar

To

The Tahsildar
Thirupattur Taluk,
Sivagangai District.

+1cc to M/s. T. Pon Ram Kumar Advocate in SR. No. 5134

+1cc to M/s. A. Haja Mohideen Advocate in SR. No. 5114

+1cc to Special Government Pleader in SR. No. 5684

mj

JS/CM/MSA/08.02.2017/3P-5C

W.P (MD) No. 24966 of 2016

31.01.2017