



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.3042 of 2011

and

M.P(MD)No.1 of 2011

AL.AR.V.Kalairaja Chettiar

... Petitioner

Vs.

1.The Sub Collector,
Devakottai, Sivagangai District.

2.The Tahsildar,
Devakottai, Sivagangai District.

3.The Commissioner,
Devakottai Municipality,
Devakottai, Sivagangai District.

4.The Inspector of Police,
Devakottai Town Police Station,
Devakottai, Sivagangai District.

5.M.Ismoil,
President, Mohideen Andavar Pallivasal Zamal Trust,
Periya Pallivasal,
Vattanam Road, Devakottai,
Sivagangai District - 630 302.

6.AL.AR.N.AR.Narayanan Chettiar

... Respondents

R6 is impleaded vide order
dated 10.01.2014 in M.P(MD)No.1 of 2013

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the 3rd respondent herein, or his men, agents, subordinates or any other person or persons claiming through him or authorized by him from, in any manner, granting any approval to the 5th respondent herein for putting up any construction in the ~~land~~ ^{premises} used in old Survey No.296 and 297, new Survey No.A7/4, Kannankottai Group, Devakottai Taluk, Sivagangai District and restraining the 5th respondent herein, or its men, agents,



servants or any other person or persons claiming through it or authorized by it from putting up any construction in the disputed property.

WEB COPY

For Petitioner

: Mrs.AL.Ganthimathi

For Respondents

: Mr.S.Kumar,

Additional Government Pleader
for R.1, R.2 & R.4

Mr.Mohamed Imran for R.3

No appearance for R.5

Mr.Sundar Srinivasan for R.6

O R D E R

This writ petition has been filed to issue a Writ of Mandamus to forbear the third respondent from, in any manner, granting any approval to the fifth respondent for putting up any construction in the property comprised in old Survey Nos.296 and 297, new Survey No.A7/4, Kannankottai Group, Devakottai Taluk, Sivagangai District and also to restrain the fifth respondent from putting up any construction in the disputed property.

2. Heard the learned counsel on all sides. There is no representation for the fifth respondent.

3. When the matter is taken up for hearing today, it has been reported by the learned counsel on all sides that an appeal came to be filed, before the competent authority, regarding grant of joint patta and the same was disposed of by an order dated 09.11.2011, in favour of the fifth respondent herein.

4. Such being the case, no further order is required to be passed in this writ petition, as nothing survives for further adjudication. Accordingly, this writ petition is disposed of, with liberty to the petitioner to proceed before the competent Civil Court. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

1.The Sub Collector,
Devakottai, Sivagangai District.

<https://hccservicecourts.in/cases/>

2.The Tahsildar,
Devakottai, Sivagangai District.



3.The Inspector of Police,
Devakottai Town Police Station,
Devakottai, Sivagangai District.

+1cc to Special Government Pleader, SR.No. 72951

+1cc to M/S.AJMAL ASSOCIATES, Advocate SR.No. 72727

W.P(MD)No.3042 of 2011

and

M.P(MD)No.1 of 2011

17.08.2017

GK

JM/MR KKR/SAR 1/28.08.2017/3P/6C