



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.01.2017

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THE HON'BLE MR.JUSTICE A.SELVAM

and

THE HON'BLE MR.JUSTICE P.KALAIYARASANW.P(MD) No.7962 of 2011

S.Ramachandran

President

Arasamalai Village Panchayat

... Petitioner

-vs-

1.The District Collector,
Pudukottai District.2.The Commissioner,
Ponnamaravathi Panchayat Union,
Pudukottai District.3.The Tahsildar,
Ponnamaravathi Taluk,
Pudukottai District.4.The Inspector of Police,
Ponnamaravathi Police Station,
Pudukottai.

5.S.Arumugam

6.S.Balu @ Balakrishnan Chettiar

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the Respondents 1 to 3 herein to remove the illegal encroachments in S.No.14/21 measuring 0.74.5 hectares S.No.16/6 measuring 0.11.0 hectares, S.No.15-4 measuring 0.84.0 hectares at Arasamalai Village Panchayat, Ponnamaravathi Taluk, Pudukkottai District.

For Petitioner : Mr.B.Jameel Arasu

For RR - 1 to 4 : Mr.M.Govindan
Special Government Pleader

For R - 6 : Mr.Pala Ramasamy

For R - 5 : No appearance

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 direct the respondents 1 to 3 to remove the encroachments alleged to have been made in Survey Nos.14/21, 16/6 and 15-4, Arasamalai Village Panchayat, Ponnamaravathi Taluk, Pudukkottai District by way of issuing a Writ of Mandamus.

2.It is averred in the petition that the petitioner is a resident of Arasamalai Village. Further it is averred in the petition that in the Survey Numbers mentioned therein, the remaining respondents have made certain encroachments and in order to remove the same, a representation has been given to the concerned authorities, but no action has been taken and therefore, the present Writ Petition has been filed for getting the relief sought therein.

3.As directed by this Court, the third respondent viz., Tahsildar, Ponnamaravathi Taluk has submitted relevant records, wherein it has been clearly stated that the alleged encroachments have already been removed.

4.Considering the fact that the alleged encroachments have already been removed, the relief sought in the Writ Petition is totally unwarranted and therefore, the present Writ Petition has become infructuous.

5.In fine, this Writ Petition is dismissed without cost. Consequently, MP(MD)No.1 of 2011 is closed.

Sd/
Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar.

To

1.The District Collector,Pudukkottai District.

2.The Tahsildar,Ponnamaravathi Taluk, Pudukkottai District.

3.The Inspector of Police,Ponnamaravathi Police Station,Pudukkottai.

+1CC to the Special Government Pleader, SR.No.4735

W.P(MD) No.7962 of 2011
27.01.2017

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