

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION Nos.989 of 2008 & 32633 of 2010

COMMON ORDER:

1. Since the parties in both the writ petitions are one and the same, these writ petitions are heard together and are being disposed of by this common order.
2. W.P. No.989 of 2008 is filed by the petitioner aggrieved over the constructions made by the 3rd respondent by encroaching into the road portion. Subsequently, as the constructions made by the 3rd respondent were regularized, the petitioner filed the above W.P.No.32633 of 2010.
3. Heard and perused the material available on record.
4. When these matters have been taken up for hearing, the learned Government Pleader for Municipality submitted that during the pendency of the writ petition viz., W.P.No.989 of 2008, the 3rd respondent filed an application for regularization and that the authorities concerned regularized the constructions made by the 3rd respondent and therefore, W.P.No.989 of 2008 has become infructuous.
5. From the material available on record, it is evident that after taking into consideration the objections filed by the petitioner herein before the authorities concerned, the application of the 3rd respondent for regularization was considered. Therefore, the contention of the learned Counsel for the petitioner that during the pendency of W.P.No.989 of 2008, the constructions made by the 3rd respondent cannot be regularized by the authorities concerned, cannot be accepted. There are no merits in these writ petitions.

6. Accordingly, both the Writ Petitions are dismissed. No costs.
Consequently, miscellaneous petitions pending, if any, shall stand dismissed.

Dated: 6.2.2017.
Nn

Justice Raja Elango



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Nn

