IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

W.A.No.541 of 2015 and
MP No.1 of 2015

1.The District Collector,
Cuddalore District.

2.Project Officer and General Manager,
District Rural Development Centre,
Cuddalore.

3.Revenue Divisional Officer,
Cuddalore.

4.Government of Tamil Nadu,
Rep by its Secretary,
Revenue Department,
Chennai-9 .... Appellants/Respondents 2, 3, 4 and 6

-vs-

1.S.V.Rajan .. Respondent/Petitioner
2.The Commissioner
Cuddalore Municipality,
Cuddalore. .... Respondents/5th Respondent

PRAYER:
Writ Appeal filed under Clause 15 of Letters Patent against the order passed in W.P No.13777 of 2008 dated 30.01.2014.

W.P No.13777 of 2008:-
Petition under Article 226 of the Constitution of India, praying for the issue of Writ of Certiorarified Mandamus, calling for the records relating to the order passed by the 6th Respondent (Wrongly mentioned as 1st Respondent in Letter No.36236/NC111-2/07-3 dated 3.12.2007 and consequential order passed by the 2nd Respondent in R.R.1/18722/05 dated 12.02.2008 and quash the same and further direct the 6th (Wrongly mentioned as 1st) and 2nd Respondents to release the Tsunami relief fund to

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the Petitioner as assessed by the 3rd and 5th Respondents within a stipulated time.
within a stipulated period.

For Appellants : Mr.V.Anandhamoorthy
Addl.Govt.Pleader

For Respondents : Mr.S.Parthasarathy

J U D G M E N T

[Judgment of the Court was delivered by
K.K. SASIDHARAN,J.]

The writ petition filed by the first respondent challenging the order dated 3 December 2007 and the consequential order dated 12 February 2008 on the file of the District Collector, Cuddalore was allowed by the learned single Judge and a direction was issued to the appellants to pay a sum of Rs.11,49,400/- to the first respondent within a period of eight weeks. The said order is put in issue in this intra court appeal.

2. When this appeal was taken up for hearing on 6 July 2018, the learned counsel for the first respondent on instructions submitted that the appellants have paid the amount as directed by the learned single Judge. According to the learned counsel, interest has not been paid by the appellants inspite of the direction given by the learned single Judge to make payment within the stipulated period.

3. When the appeal is taken up for hearing, the learned Additional Government Pleader by producing the receipt dated 1 April 2015 submitted that the first respondent has already received Rs.11,49,400/- pursuant to the direction issued by this Court.

4. Since the appellants have already paid the amount pursuant to the direction issued by the learned single Judge, nothing survives for adjudication in this intra court appeal. We make it clear that the first respondent is not entitled for interest, in view of the payment made by the Government.

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5. The intra court appeal is disposed of with the above observation. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

1. The Commissioner
   Cuddalore Municipality,
   Cuddalore.

2. The District Collector,
   Cuddalore District.

3. Project Officer and General Manager,
   District Rural Development Centre,
   Cuddalore.

4. The Revenue Divisional Officer,
   Cuddalore.

5. The Secretary,
   Revenue Department,
   Fort St.George, Chennai-9

+1cc to the Government Pleader, S.R.No.48105

W.A.No.541 of 2015

VGI(Co)
CS/11/08/18

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