

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2018

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.5624 of 2010

1. Er.T.Subramanian
2. T.Kannan

... Petitioners

(Transposed the 11<sup>th</sup> respondent as the 2<sup>nd</sup> petitioner as per order of this Court dated 29.11.2011 in MP.No.1 of 2011)

Vs.

- 1.The District Collector,  
Nagapattinam.
- 2.The Superintendent of Police,  
Nagapattinam.
- 3.The Deputy Superintendent of Police,  
Mayiladuthurai.
- 4.The Revenue Divisional Officer,  
Mayiladuthurai.
- 5.The Inspector of Police,  
Mayiladuthurai.
- 6.The Executive Engineer, Buildings  
(Construction & Maintenance) Division,  
P.W.D., Nagapattinam.
- 7.The Commissioner,  
Mayiladuthurai Municipality,  
Mayiladuthurai.
- 8.The Town Planning Officer,  
Mayiladuthurai.
- 9.K.Murugan
- 10.R.Kalidas

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents, especially respondents 1, 6 and 7 to restrain the private respondents 9 to 11 from proceeding further with the construction in R.S.No.374 of Mayiladuthurai and using the same for any purpose forthwith.

For Petitioners : Mr.A.Sivaji

For R1 to R6 : Mr.J.Ramesh, AGP

For R7 & R8 : Mr.Hasan Mohamed Jinnah

For R9 & R10 : Mr.S.Sounthar

ORDER

The relief sought for in this writ petition is to issue a writ of mandamus, directing the respondents 1, 6 and 7 to restrain the private respondents 9 and 10 from proceeding further with regard to the construction in R.S.No.374 of Mayiladuthurai and using the same for any purpose.

2.When the matter was taken up for consideration, the learned counsel for the respondents 9 and 10, on instructions, submitted that the construction sought to be restrained, had already been completed and the Civil Suit filed by the first petitioner, claiming the similar relief as sought for in this writ petition, had also been dismissed and hence, nothing survives for adjudication.

3.Recording the aforesaid submission made by the learned counsel for the respondents 9 and 10, this writ petition stands closed, leaving it open to the petitioners to approach the authority concerned, if the construction said to be completed is without any approval from the competent authority. No costs.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

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To

- 1.The District Collector, Nagapattinam.
- 2.The Superintendent of Police, Nagapattinam.
- 3.The Deputy Superintendent of Police,  
Mayiladuthurai.
- 4.The Revenue Divisional Officer, Mayiladuthurai.
- 5.The Inspector of Police, Mayiladuthurai.
- 6.The Executive Engineer, Buildings  
(Construction & Maintenance) Division,  
P.W.D., Nagapattinam.
- 7.The Commissioner, Mayiladuthurai Municipality,  
Mayiladuthurai.
- 8.The Town Planning Officer, Mayiladuthurai.

+1cc to Mr.A.SIVAJI, Advocate, S.R.No.43369  
+1cc to Mr.S.SOUNTHAR, Advocate, S.R.No.43938  
+1cc to the Government Pleader, S.R.No. 44059

W.P.No.5624 of 2010

KGK(CO)  
TR(07/08/2018)

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