

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24-10-2018

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.28056 of 2017

And

W.M.P.No.30128 of 2017

G.Santhanam

.. Petitioner

...Vs...

1.State Represented by
The Inspector of Police,
Chitlapakkam Police Station,
Chennai-600 064.

2.Sundari

3.Dr.Sharwani

.. Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, forbearing the first respondent from interfering with petitioner's peaceful possession and enjoyment of the petition scheduled property by forcibly handing over the possession of the petitioner to the second and third respondents.

For Petitioner : Mr.R.Vijayaraghaven

For Respondent-1 : Mr.R.S.Selvam,
Government Advocate.

For Respondents-2&3 : Mr.A.Thiyagarajan,
Senior Counsel for Mr.M.Nallathambi.

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O R D E R

The learned Senior Counsel, appearing on behalf of the respondents 2 and 3, made a submission that the prayer, as such, sought for in the present writ petition is not maintainable. Such civil disputes can never be adjudicated in a writ jurisdiction under Article 226 of the Constitution of India. However, the learned counsel, appearing on behalf of the writ

petitioner, brought to the notice of this Court that the writ petitioner passed away.

2. The learned Government Advocate, appearing on behalf of the first respondent, also informed this Court that the complaint filed by the third respondent against the writ petitioner also has been closed.

3. This being the factum of the case, no further adjudication needs to be undertaken in respect of the grounds raised in this writ petition.

4. Accordingly, the writ petition stands closed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

Svn

To

The Inspector of Police,
Chitlapakkam Police Station,
Chennai-600 064.

+lcc to Mr.M.Nalla Thambi, Advocate, S.R.No. 72898
+lcc to the Government Pleader, S.R.No. 73073

WP No.28056 of 2017

KS (CO)
GN(12/11/2018)

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