



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.08.2018

CORAM:

THE HONOURABLE MR. JUSTICE T.RAJA

and

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.(MD) No.1320 of 2014

A.Manokaran

... Petitioner

Vs.

1.The District Collector,
Madurai District.

2.The Revenue Divisional Officer,
Usilampatti,
Madurai District.

3.The Tahsildar,
Usilampatti,
Madurai District.

4.Veeranan

5.Pitchai

... Respondents

PRAYER: The writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to remove the encroachment made in Government Poramboke land in Survey No.406/3 to an extent of 0.18.80 sq.ft. situate at Valandur Village, Usilampatti Taluk, Madurai District by considering and disposing of the representation of the petitioner dated 04.02.2013 within stipulated time as may be fixed by this Court.

For Petitioner : Mr.S.Ramasamy

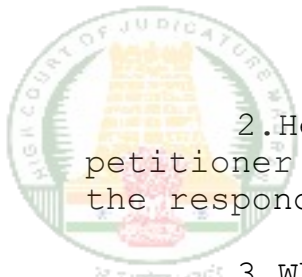
For R1 to R3 : Mr.V.Anand

Government Advocate

For R4 & R5 : No Appearance

ORDER**(Order of the Court was made by T.RAJA, J.)**

A.Manokaran, filed this writ petition seeking issuance of a Writ of Mandamus directing the respondents 1 to 3 to remove the encroachment made in Government Poramboke land in Survey No.406/3 to an extent of 0.18.80 sq.ft. at Valandur Village, Usilampatti Taluk, Madurai District on the basis of the representation made by the petitioner dated 04.02.2013.



2. Heard Mr.S.Ramasamy, learned counsel appearing for the petitioner and Mr.V.Anand, learned Government Advocate appearing for the respondents 1 to 3.

3. When the matter was taken up for hearing today, the learned Government Advocate appearing for the respondents 1 to 3 submitted that the writ petition has been pending for quite long time and the alleged encroachment has already been removed. He has also placed before us copy of the photographs and a proceedings dated 16.08.2018 showing that the fencing made in the poromboke land by erecting stone pillars have been removed.

4. A counter affidavit has also been filed by the Revenue Divisional Officer, Usilampatti, stating that he was unable to remove the encroachment because of the election for the Tamil Nadu Legislative Assembly announced on 04.03.2016. However, he has undertaken to take appropriate steps for removal of encroachment made in S.No.406/3 at Valandur Village, Usilampatti Taluk and as per the undertaking given by him, he has removed the same. From the photographs and the proceedings dated 16.08.2018, we are also able to see the removal of fencing.

5. As the encroachment has been removed, the prayer in the Writ Petition has become infructuous and accordingly, the writ petition is closed as infructuous. No costs.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar(CS-I)

To

1. The District Collector, Madurai District.

2. The Revenue Divisional Officer,
Usilampatti, Madurai District.

3. The Tahsildar, Usilampatti, Madurai District.

+1CC to Mr.S.Ramasamy, Advocate, SR.No.80325

+1CC to the Special Government Pleader SR.Nos. 80346, 79940

W.P.(MD) No.1320 of 2014
23.08.2018

SRM/MM

ES/RP/SAR 1/12.09.2018/2P/6C