



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.06.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P (MD) No.13329 of 2018

and W.M.P (MD) Nos.12149 and 12150 of 2018

Murugan Primary School,
Represented by its Correspondent,
Vaagaikulampatti,
Melarajakularaman Village,
Rajapalayam Taluk,
Virudhunagar District.

... Petitioner

Vs.

1. The District Collector,
Virudhunagar District,
Virudhunagar.

2. The District Revenue Officer,
Virudhunagar District,
Virudhunagar.

3. The Tahsildar,
Rajapalayam Taluk,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the notice, dated 10.03.2018 on the file of the third respondent and quash the same and consequently direct the respondents to consider the reply made by the petitioner, dated 02.04.2018 for assignment of lands in S.No.1115/1, Vagaikulampatty, Melarajakularaman Village, Rajapalayam Taluk, Virudhunagar District.

For Petitioner : Mr.Y.Prakash

For Respondents : Mr.M.Jeyakumar,
Additional Government Pleader.

**ORDER**

(Order of the Court was made by **M.DURAISWAMY, J.**)

The petitioner has filed the above writ petition to issue a Writ of Certiorarified Mandamus, to call for the records relating to the notice, dated 10.03.2018 on the file of the third respondent and to quash the same and consequently direct the respondents to consider the reply made by the petitioner, dated 02.04.2018 for assignment of lands in S.No.1115/1, Vagaikulampatty, Melarajakularaman Village, Rajapalayam Taluk, Virudhunagar District.

2.Mr.M.Jeyakumar, learned Additional Government Pleader takes notice for the respondents and submitted that after the issuance of notice under Section 7 of the Madras Land Encroachment Act, 1905, dated 10.03.2018, which is impugned in this Writ Petition, the petitioner has also given a reply, dated 02.04.2018 and the same was considered by the third respondent and an order has been passed under Section 6 of the Madras Land Encroachment Act, 1905, on 27.04.2018.

3.The submission made by the learned Additional Government Pleader is recorded.

4.In view of the same, the relief sought for in the present Writ Petition challenging the notice issued under Section 7 of the Madras Land Encroachment Act, 1905 has become infructuous.

5.Accordingly, the Writ Petition is dismissed as infructuous. It is always open to the petitioner to challenge the order passed under Section 6 of the Madras Land Encroachment Act, 1905 in accordance with law. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Virudhunagar District,
Virudhunagar.

2. The District Revenue Officer,
Virudhunagar District,
Virudhunagar.



3. The Tahsildar,
Rajapalayam Taluk,
Virudhunagar District.

WEB COPY

+ 1 cc TO The Special Government Pleader in SR No. 69359

ps

AE/SKN RSK/SAR4/02.07.2018/3P/5C

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22.06.2018