

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.03.2019

CORAM

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.27342 of 2010

and

M.P.No.1 of 2010

K.S.Syed Aasam
Patel/President,
Karai Jamiah Masjith Mosque,
Ranipet, Vellore District.

... Petitioner

Vs.

1. The Commissioner,
Ranipet Municipality,
Ranipet, Vellore District.

2. The Inspector of Police,
Ranipet Police Station,
Ranipet, Vellore District.

3. S.Charles,

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent herein to remove the waterline and cut off the water connection given in the Mosque property i.e. T.S.No.1, 10 and 12 in Ward A Block 6 of Ranipet on 28.09.2010.

For Petitioner : Mr.S.Haja Mohideen Gisthi

For R1 : Mr.P.Gurunathan

For R2 : Mr.R.P.Prathap Singh
Government Advocate

For R3 : Mr.T.P.Prabakaran

ORDER

This Writ Petition has been filed seeking for a direction, directing the first respondent herein to remove the waterline and cut off the water connection given in the Mosque property i.e. T.S.No.1, 10 and 12 in Ward A Block 6 of Ranipet on 28.09.2010.

2. The case of the petitioner is that a portion of land to an extent of 10 X 10 in T.S.No.1 in Ward A Block 6 of Ranipet which belongs to the petitioner mosque was given to the third respondent for beef shop. Initially, the third respondent was paying the rent without default and thereafter, he did not pay the rent properly and therefore, the petitioner has tried to evict him from the property. While doing so, the petitioner found that the third respondent has approached the municipality for water connection for the house at No.38, Karai Mettu Street, Karai, Ranipet, which belongs to the petitioner mosque and later, he was also sanctioned for the same. Hence, this Writ Petition is filed, seeking to remove the said water connection.

3. Mr.R.P.Prathap Singh, learned Government Advocate appearing the second respondent would submit that the said water connection to the third respondent's beef shop has been discontinued in the year 2010 itself and the third respondent has also evicted the said shop from the premises of the petitioner mosque and as such, the prayer sought for in this petition has become infructuous.

4. In view of the submissions made by the learned Government Advocate, this Writ Petition is dismissed as infructuous. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-V)

//True Copy//

raja

Sub Assistant Registrar

To

1. The Commissioner,
Ranipet Municipality,
Ranipet, Vellore District.

2. The Inspector of Police,
Ranipet Police Station,
Ranipet, Vellore District.

+1 cc to Mr.T.P.Prabakaran, Advocate, S.R.No.25490

+1 cc to the Government Pleader, S.R.No.25681

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RV (CO)
SSM(23/04/2019)