



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2019

CORAM

WEB COPY

THE HON'BLE MRS.VIJAYA K.TAHILRAMANI, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.23715 of 2019

Annamalai

.. Petitioner

Vs

1 The Assistant Divisional Engineer
Highways (Ka and Pa)
Arakkonam 3
Vellore District.

2 C.Mohan

.. Respondents

PRAYER:

Petition under Article 226 of the Constitution of India seeking issuance of a writ of certiorari calling for records relating to the impugned notice of eviction on the file of the first respondent dated 2.8.2019 and quash the same.

For Petitioner : Mr.S.Arokia Maniraj

For Respondents : Mr.S.Kamalesh Kannan
Government Advocate
for 1st respondent

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

Heard Mr.S.Arokia Maniraj, learned counsel for the petitioner and Mr.S.Kamalesh Kannan, learned Government Advocate for the first respondent.

2. The petitioner has approached this Court being aggrieved by the notice dated 2.8.2019 issued by the first respondent. In the said notice, it is stated that the petitioner should remove the encroachment made by him in the areas belonging to the Highways Department, failing which the Highways Department will



evict the encroacher. It was also stated that they plan to evict the petitioner on 13.8.2019 at 10 AM, if the petitioner has not done so himself.

3. The learned Government Advocate has tendered the counter affidavit of the first respondent, wherein it stated that, on 13.8.2019, with the support and aid of the Revenue authorities and the Police authorities, the encroachment has been removed and land is now under the control of the Highways Department.

In view of the above averments in the counter affidavit, the writ petition has become infructuous and the same is dismissed as such. No costs. Consequently, W.M.P.Nos.23573 and 23574 of 2019 are closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

sasi

To:

The Assistant Divisional Engineer
Highways (Ka and Pa)
Arakkonam 3, Vellore District.

+1cc to the Government Pleader, S.R.No.72686

W.P.No.23715 of 2019

BS(CO)
CS/24/09/2019