

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.02.2019

CORAM :

THE HON'BLE MRS.V.K.TAHILRAMANI, CHIEF JUSTICE

AND

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P. No.32791 of 2018 and

W.M.P.No.38004 of 2018

1.Swetha Lazaro

2.J.Lalitha

3.Irudhayamary

4.M.Chakravarthy

... Petitioners

Vs.

1.The Chief Executive Officer,
Cantonment Board,
St.Thomas Mount cum Pallavaram,
Chennai - 600 016.

2.P.Rajakumar alias Kumar

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of mandamus to direct the 1st respondent to consider the representation dated 29.09.2018.

For Petitioners : Mr.R.Amizhdhu

For Respondents : Mr.Chهران Mohan
for M/s.King and Partridge (R1)
Mr.B.Ravi (R2)

O R D E R

(Order of the Court made by the Hon'ble Chief Justice
and M.Duraiswamy, J.)

The petitioners have filed the above Writ Petition as a Public Interest Litigation to issue a Writ of mandamus directing the 1st respondent to consider the representation dated 29.09.2018 wherein the petitioners have sought for removal of unauthorized building and to restore the road space.

2. When the matter came up for hearing, the learned counsel for the 1st respondent submitted that an order dated 01.02.2019 was passed under Section 5(1) of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971, for removing the encroachment in the land belonging to the Cantonment Board. Further, the learned counsel submitted that as against the order dated 01.02.2019, the 2nd respondent has filed an appeal before the District Court and the same is pending.

3. In view of the submission made by the learned counsel for the 1st respondent, since the 1st respondent has already taken action for the removal of the encroachment, we do not find any reason to pass any further order. Accordingly, the Writ Petition is closed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-IV)

//True copy//

Sub Assistant Registrar

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To

1. The Chief Executive Officer,
Cantonment Board,
St. Thomas Mount cum Pallavaram,
Chennai - 600 016.

+1cc to M/s. King & Partridge, Advocate SR.No.12779

+1cc to Mr. R. Amizhdhu, Advocate SR.No.13326

+1cc to Mr. R. Subramanian, Advocate SR.No.13169

W.P.No.32791 of 2018 and
W.M.P.No.38004 of 2018

PPA (CO)
GMY (28/02/2019)

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