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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.06.2019**

CORAM:

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU
AND
THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)NO.7542 OF 2018
and
W.M.P(MD)Nos.7196 and 7197 of 2018

B.Manikandan :Petitioner

.vs.

1.The Divisional Engineer,
National Highways,
Thanjavur.

2.The Assistant Divisional Engineer,
National Highways,
Trichy,
Trichy District.

3.The Commissioner of Police,
Trichy City,
Trichy. : Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the entire records pertaining to the proceedings of the second respondent in Letter No.Akiramanam/2016-17/Ee.Va.Aa, dated 2.4.2018 and consequently to direct the respondents not to interfere with the peaceful possession and enjoyment except following the due process of law and to quash the same.

For Petitioner : No appearance
For Respondents : Mr.M.Karuppasamy
Govt.Advocate

O R D E R
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[Order of the Court was made by **K.RAVICHANDRABAABU.,J.**]

This Writ Petition was filed challenging the proceedings of the second respondent, dated 2.4.2018 seeking Police protection for removal of encroachment, on 6.4.2018. The second respondent sought such Police protection to remove the encroachment and such

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action is aggrieved by the Petitioner.

2.This matter was listed on 11.06.2019, on which day, there was no representation on behalf of the Petitioner. Accordingly, the matter was listed under the caption ''for dismissal'', on 12.6.2019. On the said date, the learned counsel for the Petitioner sought time to get instructions with regard to the present state of affairs. Accordingly, the matter is listed today for further hearing.

3.There is no representation for the Petitioner. On the other hand, the learned Government Advocate, based on instructions given by Mr.M.Raju, Assistant Divisional Engineer, National Highways, Trichy, who is present before this Court, submitted that the encroachment has already been removed and nothing survives in this Writ Petition.

4.Recording the above-said submission made by the learned Government Advocate appearing for the respondents, this Writ Petition is dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petitions are dismissed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

vsn

To

1.The Divisional Engineer,
National Highways, Thanjavur.

2.The Assistant Divisional Engineer,
National Highways,
Trichy, Trichy District.

3.The Commissioner of Police,
Trichy City, Trichy.

+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No.71141

ORDER MADE IN
W.P(MD)NO.7542 OF 2018 and
W.M.P(MD)Nos.7196 and 7197 of 2018
24.06.2019

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