



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

AND

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)NO.14866 OF 2019

and

W.M.P(MD)Nos.11371 and 11372 of 2019

Ganesan

:Petitioner

.vs.

1.The District Collector,
Sivagangai District, Sivagangai.

2.The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Devakkottai,Sivagangai District.

3.The Tahsildar,
Singampunari Taluk,
Sivagangai District.

4.The Block Development Officer,
Maruthipatti Panchayat Union,
Singampunari Taluk,
Sivagangai District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari calling for the records relating to the impugned notice issued by the fourth respondent vide proceedings in Na.Ka.B1/350/2019, dated 20.06.2019 and quash the same as arbitrary, unconstitutional, unlawful and illegal.

For Petitioner

:Mr.R.Murugan

For Respondents

:Mr.M.Karuppasamy

1 to 4

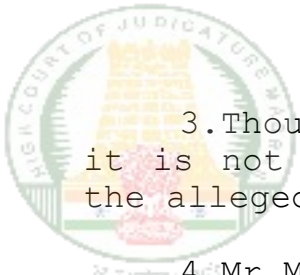
Govt.Advocate

O R D E R

[Order of the Court was made by **K.RAVICHANDRABAABU.,J.**]

This Writ Petition is filed challenging the proceedings of the fourth respondent, dated 20.06.2019, wherein and whereby, the Petitioner was called upon to remove the encroachment said to have been made at S.No.255 of Arazhipatti Village, Maruthipatti Panchayat.

2.When the matter is taken up for admission today, the learned Government Advocate, who takes notice for the respondents 1 to 4, based on instructions, submitted that the encroachment referred to in the impugned proceedings is already removed and therefore, nothing survives in this Writ Petition to be adjudicated further.



3. Though the learned counsel for the petitioner contends that it is not an encroachment, however, admitted the position is that the alleged encroachment has already been removed.

4. Mr. M. Angamuthu, Assistant from the fourth respondent Office present before this Court also informed this Court that the encroachments are removed.

5. When such being the factual position, We do not find anything survives in this Writ Petition to be adjudicated further, based on the impugned proceedings. Therefore, the Writ Petition is dismissed as infructuous, without going into the rival contentions of the parties, however, by granting liberty to the Petitioner to work out his remedy in the manner known to law, if he has any grievance against the removal. No costs. Consequently, connected Miscellaneous Petitions are dismissed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1. The District Collector,
Sivagangai District, Sivagangai.
2. The Revenue Divisional Officer,
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Devakkottai, Sivagangai District.
3. The Tahsildar,
Singampunari Taluk,
Sivagangai District.
4. The Block Development Officer,
Maruthipatti Panchayat Union,
Singampunari Taluk,
Sivagangai District.

+1 CC to Mr. R. MURUGAN, Advocate SR-73330.
+1 CC to SPL GP SR-73534.

ORDER MADE IN
W. P (MD) NO. 14866 OF 2019
and
W. M. P (MD) Nos. 11371 and
11372 of 2019
03.07.2019