

IN THE HIGH COURT OF JUDICIATURE AT MADRAS

DATED : 14.02.2020

CORAM :

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

W.P.No.2302 of 2020

Deivasigamani

...

Petitioner/Appellant

versus

1.The District Collector,
Cuddalore District.

2.The Tahsildar,
Virudhachalam Taluk,
Cuddalore District.

3.Valli

4.Velmurugan

5.Seeman

...

Respondents/Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the second respondent to carry out eviction and remove the encroachment in S.No.98/10, 105/01, 105/5 & 346/9 in Poovanur Village, Virudhachalam Taluk pursuant to his Notice dated 05.08.2016 issued under Section 6 of TN Land Encroachment Act, 2015, immediately after disposal of statutory appeal filed under Section 10 of TN Land Encroachment Act, 1905 by (deceased) Raja Singh, the husband & father of respondents 3 to 5 herein respectively, pursuant to the earlier order dated 22.08.2016 as well as 19.06.2017 made in W.P.No.29181 of 2016, within a time frame as may be fixed by this Court.

For Petitioner

:Mr.R.Veeramani

For Respondent Nos.1 & 2 :Mr.E.Balamurugan

Special Government Pleader

For Respondent Nos.3 to 5:Mr.R.Veeramani

Mr.R.U.Dinesh Kumar

* * * * *

O R D E R

[Order of this Court was made by R.SUBBIAH,J.]

The petitioner has come up with the present Writ Petition for issuance of a writ of Mandamus, to direct the second respondent to carry out eviction and remove the encroachment in S.Nos.98/10, 105/01, 105/5 & 346/9 in Poovanur Village, Virudhachalam Taluk, pursuant to his Notice dated 05.08.2016 issued under Section 6 of the Tamil Nadu Land Encroachment Act, 1905, immediately after disposal of Statutory Appeal filed under Section 10 of the Tamil Nadu Land Encroachment Act, 1905 by (deceased) Raja Singh, the husband & father of respondents 3 to 5 herein respectively, pursuant to the earlier order dated 22.08.2016 as well as 19.06.2017 made in W.P.No.29181 of 2016.

2. Today, when the matter is taken up for consideration, the learned Special Government Pleader appearing on behalf of the respondents 1 and 2 submitted that already, the respondents 1 and 2 have removed the encroachment in question.

3. Since the encroachment has been removed by the respondents 1 and 2, we are of the opinion that nothing survives in this Writ Petition for further adjudication. Hence, recording the above submission made by the learned Special Government Pleader appearing on behalf of the respondents 1 and 2, the present Writ Petition is closed. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

sri
To

1.The District Collector,
Cuddalore District.

2.The Tahsildar,
Virudhachalam Taluk,
Cuddalore District.

+1cc to Mr.R.Veeramani, Advocate SR.12718
+1cc to Mr.R.Veeramani, Advocate SR.13477

W.P.No.2302 of 2020

PP(CO)
CB(16/03/2020)