

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2020

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
AND
THE HONOURABLE MRS.JUSTICE R.HEMALATHA

W.P.No.5005 of 2019

R.Hassan Ali Akbar

... Petitioner

Vs

1.The District Collector,
Sathuvachari, Vellore.

2.The Commissioner,
Arcot Municipality,
Arcot, Vellore.

3.The Tamil Nadu Wakf Board,
Rep. by its Chief Executive Officer,
No.1, Jaffer Syrang Street,
Vallal Sethkathi Nagar, Chennai - 1.

4.Ravi

5.Thirumurugan

6.D.Malar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari, directing the respondents 1 & 2 to demolish the unauthorized construction put by respondents 4 to 6 at Door Nos.41 and 42 Anna Salai, Arcot, Vellore District comprised in T.S.No.29, 30/1, 2 Part, 30/2, Block 4, Ward C, Arcot, as per Section 339 and 340 of the District Municipalities Act in compliance to the common order dated 04.09.2018 made in Contempt Petition No.1830/2017 and W.P.Nos.17407 and 17408/2018.

For Petitioner : Mr. N.A.Nissar Ahmed.

For Respondents: Mr. P.S. Sivashanmuga Sundaram,
Special Government Pleader for R1.
Mr.J.Pothiraj, Special Government
Pleader for R2.
Mr.V.Raghavachari for R3.
R4 - No appearance.
Mr.R.Venkatesan for R5.
Mr.M.K.Bhoopathy Rajan
for Mr.K.Premkumar for R6.

O R D E R
(Order of the court was made by N.KIRUBAKARAN.J.,)

When the matter is called today, the learned Counsel for the petitioner submitted that as per the earlier Order of this Court in Contempt Petition, the unauthorized construction put up by the private respondents has been removed and nothing survives in this petition.

2. The learned Counsel for the private respondents also submitted that they have carried out demolition. However, the Arcot Municipality have taken away the articles from the property of the private respondents and sought for return of the same.

3.Hence, this Writ Petition is disposed of with a direction to the Arcot Municipality to return the articles which have been taken from the property of the private respondents. No costs.

4.Post the matter for compliance on 07.04.2020.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

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To

- 1.The District Collector,
Sathuvachari, Vellore.
- 2.The Commissioner,
Arcot Municipality,
Arcot, Vellore.
- 3.The Chief Executive Officer,
The Tamil Nadu Wakf Board,
No.1, Jaffer Syrang Street,
Vallal Sethkathi Nagar, Chennai - 1.

4. The Section Officer,
Writ Section,
High Court, Madras

+1cc to Government Pleader, High court, Madras SR.No.24113

W.P.No.5005 of 2019

MR (CO)
GMY (18/06/2020)



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