

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.02.2020

CORAM

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

Writ Petition No.33046 of 2019

1.Devaraj
S/o.Elumalai

2.Ellappan
S/o.Kathamuthu

3.Karthik
S/o.Dena Dayalan

.... Petitioners

Vs

The Commissioner,
The Greater Chennai Corporation,
Thiruvottiyur,
Chennai.

.... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing respondent not to remove petitioner's shop situated at No.160/9, 4th Street, Thiyagarayapuram, Tolgate, Chennai, in pursuant to notice dated Nil.

For Petitioners : Mr.J.Milton Arul Rajendran
For Respondent : Mrs.Karthikaa Ashok

सत्यमेव जयते

O R D E R

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

Petitioner has filed the present Writ Petition seeking issuance of a Writ of Mandamus directing respondent not to remove petitioner's shop situated at No.160/9, 4th Street, Thiyagarayapuram, Tolgate, Chennai, in pursuant to notice dated Nil.

2. Heard learned counsel for petitioners and learned standing counsel for respondent.

3. Learned counsel for petitioners submits that he is dealing with old/used wooden doors, windows and frames at No.160/9, 4th Street, Thiagarayarapuram, Tolgate, Chennai. The grievance of the petitioner is that the respondent, without issuing notice personally, affixed the same on the door of the petitioner's shop stating that the petitioner is encroaching the road by keeping used timber and the same should be removed on or before 01.11.2019. Hence, the present Writ Petition has been filed seeking the aforesaid relief.

4. Learned standing counsel appearing for second respondent, relying on the counter filed by respondent, submits that the aforesaid encroachment has already been removed. To establish the same, the respondent has also annexed photographs, along with the counter.

5. Since encroachment has already been removed, nothing survives for further adjudication in the present Writ Petition.

Accordingly, recording the submission of learned standing counsel appearing for respondent, the Writ Petition is closed. No costs.

Sd/-

Assistant Registrar(CS-III)

// True Copy//

Sub Assistant Registrar

gm

To

The Commissioner,
The Greater Chennai Corporation,
Thiruvottiyur, Chennai.

+1cc to Ms.Karthikka Ashok, Advocate, SR.No.10935.

+1cc to Mr.J.Milton Arul Rajendran, Advocate, SR.No.11078.

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MG(CO)

CSR: 10.03.2020