



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD)No.4537 of 2018

and

W.M.P (MD)No.4640 of 2018

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V.Sureshmohankumar

... Petitioner

Vs.

1.The Executive Engineer,
Public Works Department,
Nagercoil, Kanyakumari District.

2.The Assistant Executive Engineer,
Public Works Department,
Kalkulam, Thuckalay,
Kanyakumari District.

3.The Tahsildar,
Kalkulam Taluk,
Kanyakumari District.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, forbearing the respondents from interfering with the peaceful possession and enjoyment of the petitioner and his family members in Survey No.491/1 of Muthalakurichi Village, Kanyakumari District and may consequently direct the respondents 1 and 2 to compensate the petitioner for the loss sustained by them.

For Petitioner : Mr.A.Balakrishnan

For Respondents : Mr.P.Kannidevan

Additional Government Pleader

ORDER

When the matter is taken up for hearing today, Mr.P.Kannidevan, learned Additional Government Pleader appearing for the respondents submitted that the subject matter of the property comprised in Survey No.491/1, Muthalakurichi Village, Kanyakumari District was encroached by the petitioner and in respect of encroachment, public auction was conducted with regard to 8 coconut trees on 25.07.2018 and the auction amount was remitted in the revenue account and he has also produced a copy of the proceedings, dated 21.09.2020 issued by the second respondent and submitted that the relief sought for in the Writ Petition has become infructuous and nothing survives for adjudication in this



2. In view of the submission made by the learned Additional Government Pleader appearing for the respondents, this Writ Petition is dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petition is closed.

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Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

PS

Note:- In view of the present lock down owing to COVID - 19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1. The Executive Engineer,
Public Works Department,
Nagercoil,
Kanyakumari District.

2. The Assistant Executive Engineer,
Public Works Department,
Kalkulam, Thuckalay,
Kanyakumari District.

3. The Tahsildar,
Kalkulam Taluk,
Kanyakumari District.

+1 CC to Mr.K.P. NARAYANAKUMAR, Advocate (SR-17637[F] dated 22/09/2020)

+1 CC to SGP (SR-17847[F] dated 23/09/2020)

Order made in
W.P. (MD) No.4537 of 2018
Dated:
21.09.2020

KG (CO)

KM (29.09.2020) 2P 6C

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