



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.08.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
and
THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI
W.P. No. 11178 of 2021
and
W.M.P. No. 11819 of 2021

M.Balakrishnan

... Petitioner

Vs.

1. The Executive Officer
Town Panchayat Office
Sulur, Coimbatore District - 641 402.

2. The Tahsildar
Sulur Taluk
Coimbatore District - 641 402.

3. P.Eswari

4. Annakodi

... Respondents

PRAYER : Petition filed under Section Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the First Respondent dated 20.04.2021 in Na.Ka.No.564/2017/E and quash the same and consequently direct the Respondents not to interfere with the peaceful possession and enjoyment of the premises bearing Door No.10/7, Karuppaboyan Lane, East Car Street, Sulur, Coimbatore 641 402 by the Petitioner.

For Petitioner : Dr.S.S.Swaminathan

For Respondents : Mrs. R.Anitha (For R2)

State Government Counsel

Mr. M.Elumalai (For R1)

Mr. J.Agni Selvaru (For R3)



WEB COPY

ORDER

(Order of the Court was passed by N.KIRUBAKARAN, J)

The matter was heard through ''Video Conference''.

2. The Petitioner has challenged the order dated 20.04.2021 in Na.Ka. No. 564/2017/E issued by the First Respondent, by which the Petitioner has been directed to remove the encroachment made in Survey No. 720/8 to an extent of 0.5 square meter, which is classified as Government Poramboke land and Survey No. 720/9 to an extent of 10 square meter, which is classified as pathway situated at Ward No.10, Kaupaboyan Street, Sulur, Coimbatore - 641 402.

3. Heard Dr.S.S.Swaminathan, Learned Counsel for the Petitioner, Mr. M.Elumalai, Learned Counsel appearing for the First Respondent, Mrs. R.Anitha, Learned State Government Counsel appearing for the Second Respondent and Mr. J.Agni Selvaraju, Learned Counsel for the Third Respondent, and perused the materials placed on record.

4. When the matter is called today, it is represented by Mr. M.Elumalai, Learned Counsel appearing for the First Respondent that after issuing notice dated 20.04.2021, the encroached portion has been removed, which is also confirmed by Dr. S.S.Swaminathan, Learned Counsel for the Petitioner and therefore, this Writ Petition has become infructuous.

5. However, Learned Counsel for the Petitioner submits that he is the owner of Survey No.720/4. Therefore, it is always open to the Petitioner that if the Petitioner is the owner of the property comprised in Survey No. 720/4, he may produce all relevant documents before appropriate authority including Electricity Board to get electricity connection and other amenities for the property comprised in Survey No.720/4.

6. With the above observations, this Writ Petition is disposed of. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar (CS-VI)

// True Copy //

Sub Assistant Registrar



WEB COPY

1. The Executive Officer
Town Panchayat Office
Sulur, Coimbatore District - 641 402.

2. The Tahsildar
Sulur Taluk
Coimbatore District - 641 402.

+1CC to M/s.S.S.Swaminathan, Advocate, SR.No. 38201
+1CC to Mr.M.Elumalai, Advocate, SR.No. 38192
+1CC to The Government Pleader, SR.No. 38097

W.P. No. 11178 of 2021

BS(CO)
B.VC (27/08/2021)