



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.09.2021

CORAM:

THE HONOURABLE Mr. JUSTICE N.ANAND VENKATESH

W.P. Nos. 14056 to 14066 of 2021 and
W.M.P Nos. 14934 to 14945 of 2021

M.Sugumaran	... Petitioner in WP.No. 14056/2021
G.Periyasami	... Petitioner in WP.No. 14057/2021
V. Muthumanickam	... Petitioner in WP.No. 14058/2021
K. Natarajan	... Petitioner in WP.No. 14059/2021
Vaithiyalingam	... Petitioner in WP.No. 14060/2021
Lakshmi	... Petitioner in WP.No. 14061/2021
P.Saravanan	... Petitioner in WP.No. 14062/2021
G.Selvaraj	... Petitioner in WP.No. 14063/2021
S.Nagaraaj	... Petitioner in WP.No. 14064/2021
Elavarasan	... Petitioner in WP.No. 14065/2021
T.Mariammal	... Petitioner in WP.No. 14066/2021

Vs.

1. The Assistant Engineer, J811,
Tamil Nadu Generation and Distribution Corporation,
TANGEDCO,
Thittakudi - 606 106,
Cuddalore District.
2. The Executive Officer,
Sri. Vaidtiyanathaswami Devasthanam,
Thittakudi ,
Cuddalore District.

..Respondents in all WPs

(R2 SUO-MOTO Impleaded vide order
Dated 06/07/2021 made in WP.14056/2021)

Common Prayer:

Writ petition is filed under Article 226 of the Constitution of India, Praying for issuance of a writ of Certiorari or direction in the nature of writ calling for the records and quash the impugned order passed by the respondent vide Ka.No.Vu.Mi.Po/Thu.Mi.Ni/T.Kudi/ Ko.No.104/21-22 dated 29.06.2021.



WEB COPY

For Petitioner : Mr.R.Kannan
For Respondents : Mr.L.Jaivenkatesh
Standing counsel for R1
Mr.K.V. Dhanapalan for R2

C O M M O N O R D E R

Since the issue involved in all these writ petitions are one and the same, they are disposed of by this common order.

2. All these petitions have been filed challenging the impugned proceedings of the respondent dated 29.06.2021, wherein, the service connections that were given to the petitioners was sought to be disconnected.

3. It is brought to the notice of this Court that during the pendency of these writ petitions, the entire structure was demolished and in view of this development, nothing survives in these writ petitions.

4. The learned counsel for the petitioners submitted that insofar as two writ petitions in WP.Nos.14066 of 2021 and 14064 of 2021, there is a decree in favour of the petitioners passed by a competent Civil Court and in spite of the same, the demolition process took place. Therefore, the learned counsel for the petitioners submitted that the respondent and the impleaded respondent have committed contempt of Court.

5. It is brought to the notice of this Court that there were two proceedings that were parallelly taking place against the petitioners and others. One was the proceedings initiated by the revenue authorities on the ground that the petitioners and others were encroachers of the property. The other was the proceedings initiated by the Temple under Section 78 of the H.R. & C.E Act for removal of encroachment, which was challenged before this Court by filing writ petitions and subsequently all the writ petitions were withdrawn. Therefore, a stand has been taken to the effect that the demolition of the property took place pursuant to the proceedings initiated under the Land Encroachment Act.

6. It is also seen from records that Public Interest litigation was filed before this Court in W.P. No.6533 of 2021 and it is the order passed in this writ petition that really expedited the entire process resulting in demolition of the property.

7. If any of the petitioners have any grievance that in



spite of the decree of the Court the property was demolished, they have to individually work out their remedy in the manner known to law. That issue cannot be gone into in the present writ petitions. The relief sought for in the writ petitions no more survives after the property has been demolished. Therefore, no further orders can be passed in these writ petitions.

8. In the result, all these writ petitions are disposed of as infructuous. No costs. Consequently connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

RAP/RR

To

1. The Assistant Engineer, J811,
Tamil Nadu Generation and Distribution Corporation,
TANGEDCO,
Thittakudi - 606 106,
Cuddalore District.
2. The Executive Officer,
Sri. Vaidtiyanathaswami Devasthanam,
Thittakudi ,
Cuddalore District.

+1cc to Mr.R.Kannan, Advocate, S.R.No.44349
+1cc to Mr.L.Jaivenkatesh, Advocate, S.R.No.44454
+1cc to Mr.K.V.Dhanapalan, Advocate, S.R.No.44524

W.P. Nos. 14056 to 14066 of 2021
and
W.M.P Nos. 14934 to 14945 of 2021

PM(CO)
CT(22/09/2021)