



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P (MD) No.13418 of 2021

WEB COPY

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... Petitioner

Vs.

1.The District Collector,
Thanjavur District,
Collectorate,
Thanjavur.

2.The Tahsildar,
Thiruvidaimaruthur Taluk,
Taluk Office,
Thiruvidaimaruthur,
Thanjavur District.

3.The Block Development Officer,
Thiruppanandhal,
Thiruvidaimaruthur Taluk,
Thanjavur District.

4.The President,
Mullangudi Panchayat,
Thiruvidaimaruthur Taluk,
Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to consider the representation and objection of the petitioner before taking any action on the basis of the order of this Court made in W.P(MD) No.16051 of 2016, dated 24.03.2021.

For Petitioner	: Mr.P.M.Vishnuvarthanan
For Respondents	: Mr.B.Saravanan
	Government Advocate

ORDER

(Order of the Court was made by **M.DURAI SWAMY, J.**)

The petitioner has filed the above Writ Petition seeking for issuance of a Writ of Mandamus, directing the respondents 1 to 4 to consider her representation and objection before taking any action on the basis of the order passed by this Court in W.P(MD)No.16051 of 2016, dated 24.03.2021.

2.This Court, while disposing of the Writ Petition in W.P(MD)No.16051 of 2016, dated 24.03.2021, called upon the official respondents to conclude the eviction process, after due notice to the parties concerned



within a period of eight weeks. The present Writ Petitioner was the fifth respondent in W.P(MD)No.16051 of 2016, dated 24.03.2021.

3.The learned counsel appearing for the petitioner submitted that the petitioner was not given any notices under the Tamil Nadu Land Encroachment Act, 1905, as directed by this Court in W.P(MD)No.16051 of 2016, dated 24.03.2021.

4.Mr.B.Saravanan, learned Government Advocate taking notice for the respondents submitted that the second respondent had issued notices under the Tamil Nadu Land Encroachment Act, 1905 and thereafter, removed the encroachment on 29.07.2021.

5.The learned counsel appearing for the petitioner also submitted that the authorities have taken possession of the property on 29.07.2021.

6.The second respondent has sent a letter, dated 30.07.2021, to the learned Government Advocate informing him that he took possession of the encroached land on 29.07.2021. In the said letter, the Tahsildar has also mentioned about the issuances of Section 7 notice, dated 14.07.2021. Since the second respondent had already taken possession of the encroached land on 29.07.2021, the prayer sought for in the Writ Petition cannot be granted. Accordingly, the Writ Petition stands dismissed. No costs.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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 District Collector,
Thanjavur District,
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Thanjavur.

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Thanjavur District.

+1CC to M/s.P.M.Vishnuvarthanan, Advocate (SR25274)
+1CC to The Special Government Pleader (SR25387)

W.P (MD) No.13418 of 2021
04.08.2021

SSS

RS (11.08.2021) 3P-7C