



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:29.11.2021

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

AND

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P(MD)No.15508 of 2021

and

W.M.P(MD)Nos.12437 & 12438 of 2021

WEB COPY

Eeswaran

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Palani, Dindigul District.

2.The Tashildhar,
Palani Taluk,
Dindigul District.

3.The Executive Officer,
Balasamuthiram Town Panchayat,
Palani Taluk,
Dindigul District.

4.Sountharya

... Respondents

(R-4 is impleaded vide Court order dated
14.09.2021 in W.M.P(MD)No.13515 of 2021 in
W.P(MD)No.15508 of 2021 by MDJ & KMSJ)

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records pertaining to the impugned order of the second respondent dated 18.05.2021 by his proceedings in Na.Ka.No.7991/2020/C2, the consequential impugned orders passed by the third respondent through his proceedings in Na.Ka.No.139/2021 dated 19.07.2021 and 27.07.2021 and the subsequent impugned order passed in the peace committee meeting dated 23.08.2021 through the proceedings of the first respondent in Na.Ka.No.786/2020/Aa1 and quash the same as illegal.

For Petitioner	: Mr.D.Venkatesh
For R-1 & R-2	: Mr.P.Subbaraj,
	Special Government Pleader
For R-4	: Mr.R.Rajendran



ORDER

(Order of the Court was made by
PUSHPA SATHYANARAYANA, J.)

The Writ Petition is filed challenging the order of the second respondent dated 18.05.2021 in Na.Ka.No.7991/2020/C2, the consequential order passed by the third respondent in Na.Ka.No.139/2021 dated 19.07.2021 and 27.07.2021 and the subsequent order passed by the first respondent in the peace committee meeting dated 23.08.2021 in Na.Ka.No.786/2020/Aa1.

2. When the writ petition was taken up for hearing by the previous Bench on 14.09.2021, the learned counsel for the petitioner undertook to remove the encroached shed on his own or or before 19.10.2021 and report compliance of the same before this Court on 20.10.2021.

3. Today when the matter is taken up for hearing, the learned Special Government Pleader appearing for the respondents 1 and 2, had produced the photograph taken on 22.10.2021. From which, it is made clear that the encroachments have been removed and the land has been levelled.

4. But, the learned counsel appearing for the petitioner has stated that as per the peace committee meeting held on 23.08.2021, he had agreed to remove the encroachments, will establish his title before the Court of law and then he will make any construction that he may be permitted.

5. The learned counsel for the petitioner also submitted that the minutes of the peace committee meeting was challenged in a writ petition and the same is also pending. As the present writ petition only relates to encroachment and that has already been complied with, no further adjudication is required and the writ petition is closed. No Costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

pm



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 Revenue Divisional Officer,
Palani, Dindigul District.

2.The Tashildhar,
Palani Taluk,
Dindigul District.

+1 CC to M/s.SPL GP (SR-36483[F] dated 30/11/2021)

W.P(MD)No.15508 of 2021
29.11.2021

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SB(08.12.2021) 3P 4C