



WEB COPY



W.P. No. 10226 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2022

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

**W.P. No. 10226 of 2018
and
W.M.P. No. 12161 of 2018**

E.M.I.D. Lucas
President
"Othiyampet - Kombakkam Catholic
Christian Village Panchayat"
S/o. Edward Lucas
No.20, Thiruvalluvar Nagar
Othiyampet Main Road
Villiyannur
Puducherry - 605 110.

... Petitioner

-VS-

1. The Sub Collector Revenue (South)
Government of Puducherry
Villiyannur, Puducherry-605 110.
2. The Commissioner
Villiyannur Commune Panchayat
Puducherry-605 110.
3. Delerock Maguimedasse
President, 'Christian Welfare Union, Kombakkam
and Odiampet'
S/o. Late Delerock Gnanapragasam
Plot No.2, Madha Koil Street
Kombakkam
Puducherry 0 605 110.

... Respondents



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Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorarified Mandamus, to call for all the records pertaining to minutes of the peace meeting held on 09.03.2018 at the chamber of the Sub-Collector Revenue (South) at Villianur Puducherry and quash the same as unlawful and illegal and further directing the First and Second Respondents not to interfere with the usage of the exclusive cemetery of Roman Catholic Christians situated in the land with an extent of 00.29.00 (H.A.Ca) comprised in R.S. No. 174/3 in Othiampet Revenue Village.

For Petitioner : Mr. P.Veeraraghavan

For Respondents : Mr. A.Alexander (For R1 & R2)
Government Advocate

Mr. M.Gnanasekaran (For R3)

ORDER

Heard Mr. P.Veeraraghavan, Learned Counsel for the Petitioner and Mr. A.Alexander, Learned Government Advocate appearing for the First and Second Respondents, Mr. M.Gnanasekaran, Learned Counsel for the Third Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. Learned Counsel for the Petitioner submits that after the filing of the Writ Petition, the matter has been amicably resolved between the parties and he



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has made an endorsement to that effect in the court record. However, inasmuch as Learned Counsel for the Third Respondent disputes such settlement between the parties, it is made clear that the Third Respondent is not precluded from working out his rights, if he has any grievance, before the proper forum in the manner recognized by law, and no view has been expressed by this Court on the merits of the controversy involved in this case.

In fine, the Writ Petition is disposed with the aforesaid observations. Consequently, the connected Miscellaneous Petition is closed. No costs.

09.11.2022

Maya

Index: Yes/No

Note: Issue order copy by 30.11.2022.

To

1. The Sub Collector Revenue (South)
Government of Puducherry
Villiyanur, Puducherry-605 110.
2. The Commissioner
Villiyanur Commune Panchayat
Puducherry-605 110.



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P.D. AUDIKESAVALU, J.

Maya

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