



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.03.2022

CORAM:

WEB COPY

THE HONOURABLE MR.MUNISHWAR NATH BHANDARI, CHIEF JUSTICE
AND
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WRIT PETITION NOS.6082 AND 6564 OF 2022
AND
W.M.P.NOS.6164, 6672, 6673 AND 6676 OF 2022

Mr.M.Elumalai

.. Petitioner in W.P.No.6082 of 2022

1. Mr.Dasarathan
2. Mr.Nagarajan
3. Mr.Rajendiran
4. Mr.Vaduganathan
5. Mr.Ramesh
6. Mrs.Thirupathi
7. Mr.Kannan
8. Mrs.A.Radha
9. Mrs.K.Indira

.. Petitioners in W.P.No.6564 of 2022

Vs.

1. The District Collector,
Thiruvallur District,
Thiruvallur.
2. The Tahsildar,
Avadi Taluk,
Near Hindu College,
Avadi, Thiruvallur District.

.. Respondents in W.P.No.6082 of 2022

1. The District Collector,
Thiruvallur, Thiruvallur District.
2. The Tahsildar,
Avadi, Chennai-600 054.
3. The Revenue Inspector,
Avadi Firka,
Thiruvallur District.

.. Respondents in W.P.No.6564 of 2022



Writ Petition No.6082 of 2022 is filed praying for issuance of a Writ of Mandamus to direct the first respondent to dispose of the Appeal filed by the petitioner under Section 10 of the Tamil Nadu Land Encroachment Act on 03.03.2002.

Writ Petition No.6564 of 2022 is filed praying for issuance of a Writ of Mandamus to direct the first respondent to dispose of the appeal representation dated 04.03.2022 and 07.03.2022 preferred against the order dated 01.03.2022 passed by the second respondent herein and till then, to maintain status-quo.

For petitioner in W.P.No.6082 of 2022 : M/s.K.M.Valsala

For petitioner in W.P.No.6564 of 2022 : Mr.S.Sadasharam

For respondents in both the W.Ps. :

Mr.J.Ravindran, Addl. Advocate General,
assisted by Mr.P.Muthukumar, State Govt. Pleader
and Mr.S.J.Md.Sathik, Government Advocate

COMMON ORDER

(The Common Order of the Court was made by The Honourable Chief Justice)

Writ Petition No.6082 of 2022 has been filed for issuance of a Writ of Mandamus on the first respondent to dispose of the appeal filed by the petitioner under Section 10 of the Tamil Nadu Land Encroachment Act, on 03.03.2002.

2. Writ Petition No.6564 of 2022 is filed praying for issuance of a Writ of Mandamus on the first respondent to dispose of the appeals/representations dated 04.03.2022 and 07.03.2022 preferred against the order dated 01.03.2022 passed by the second respondent herein and till then, to maintain status-quo.

3. The Writ Petitions were filed at the stage when the appeals were filed under Section 10 of the Tamil Nadu Land Encroachment Act and pending appeals, apprehending action by the respondents, prayer for interim relief was made through the Writ Petitions, though it could have been pressed in the appeals themselves. In any case, the learned Additional Advocate General, in the presence of the Officers concerned, submitted that the encroachments made by the writ petitioners, has already been removed.



4. In view of the above, nothing survives for consideration now in both the Writ Petitions for passing interim order, because, the unauthorised construction made by the petitioners, had been removed now. Accordingly, both the Writ Petitions are dismissed as having become infructuous. No costs. Consequently, W.M.Ps. are closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

CS

To

1. The District Collector,
Thiruvallur District,
Thiruvallur.
2. The Tahsildar,
Avadi Taluk,
Near Hindu College,
Avadi, Thiruvallur District.
3. The Revenue Inspector,
Avadi Firka,
Thiruvallur District.

+1cc to Mr.S.Sadasharam, Advocate, S.R.No.19349
+1cc to Mr.K.Selvakumar, Advocate, S.R.No.19703

W.P.Nos.6082 and 6564 of 2022

GMR(CO)
PM/31/03/2022