



W.P.No.31793 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.11.2022

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.31793 of 2022

1.A.Abdul Vahab
2.J.Narkees Banu
3.Fathimabee
4.R.Mohan

.. Petitioners

VS

1.The District Collector,
O/o District Collector,
Cuddalore District.

2.The Tahsildar,
Virudhachalam Taluk,
Cuddalore.

3.The Commissioner,
Virudhachalam Municipality,
Virudhachalam,
Cuddalore District.

4.The Revenue Divisional Officer,
Virudhachalam Taluk,
Cuddalore District.



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5.The District Revenue Officer,
Cuddalore,
Cuddalore District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus forbearing the respondents, their agents, representatives from in any manner disturbing/interfering with the petitioners peaceful possession and enjoyment of the land comprised in Survey Nos.204/1 (R.S.No.117/3) situated at Cuddalore Road, Virudhachalam Town and Taluk, Cuddalore District except under due process of law.

For the Petitioners : Mr.R.Ragavendran

For the Respondents : Mrs.R.Anitha
Spl. Government Pleader
for respondent Nos.1, 2, 4
and 5

: Mr.P.Muthukumar
State Government Pleader
for respondent No.3

ORDER

(Order of the court was made by the Hon'ble Acting Chief Justice)

W.M.P.No.31239 of 2022 filed to permit the petitioners to file the writ petition jointly is allowed, subject to payment of separate sets of court-fee by the petitioners within two weeks from the date



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of receipt of a copy of this order. In default of compliance, the order passed in the writ petition shall be applicable only to the first petitioner.

2. Today when the writ petition is taken up for hearing, learned counsel appearing for the petitioners fairly submitted that after filing of the writ petition the encroachments have been removed by the respondent authorities.

3. Mrs.R.Anitha, learned Special Government Pleader appearing for respondents 1,2,4 and 5, submitted that since the encroachments made by the petitioners have been removed, the prayer in the writ petition has rendered infructuous.

4. It is, at this stage, learned counsel for the petitioners requested this Court to issue a direction to the respondent authorities to consider the prayer for providing alternative accommodation to the petitioners.



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5. The prayer for providing alternative accommodation has to be considered by the State Government and this Court cannot give a positive direction to the State authorities to provide alternative accommodation to the petitioners.

6. In view of the above, the writ petition is dismissed as infructuous. There will be no order as to costs. Consequently, W.M.P.No.31242 of 2022 is closed.

(T.R., ACJ.) (D.K.K., J.)
29.11.2022

Index : Yes/No
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AND
D.KRISHNAKUMAR,J.

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