



W.P(MD)No.6875 of 2013

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 17.10.2022

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.6875 of 2013

and

M.P(MD)No.1 of 2013

Sureka Bibi

... Petitioner

Vs.

1.The Divisional Railways Manager,
Divisional Office,
Works Branch,
Southern Railway,
Tiruchirappalli.

2.The Divisional Engineer/Central,
Tiruchirappalli Junction,
Divisional Office,
Southern Railway,
Tiruchirappalli.

3.The Section Engineer/W(A),
having Office at Golden Rock,
Southern Railway,
Tiruchirappalli.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records pertaining to the impugned order, dated 25.03.2013, passed in



W.P(MD)No.6875 of 2013

C.M.A.No.7 of 2012 on the file of the Principal District Judge, Trichy (Appellate Authority) and the proceedings of the second respondent in ADEN/W&S/GOC, dated 05.01.2012 and quash the same.

For Petitioner : M/s.M.Saravanan
For Respondents : M/s.L.Victoria Gowri
Deputy Solicitor General of India

ORDER

The present Writ Petition has been filed challenging an order passed in the statutory C.M.A.No.7 of 2012 arising out of Section 9 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971.

2. According to the learned Counsel for the petitioner, the petitioner's husband one Adamkutty was allotted plot No.8 in and around Tiruchirappalli Railway Junction for running a tea stall. After his death, the petitioner was running the said tea stall. However, the lease was terminated and proceedings were initiated under the Public Premises (Eviction of Unauthorised Occupants) Act, 1971. An order was passed by the competent authority on 05.01.2012, directing the writ petitioner to vacate and hand over the vacant possession to the respondent Railways. The said order was challenged in C.M.A.No.7 of 2012 before the



W.P(MD)No.6875 of 2013

Principal District Court, Tiruchirapalli. The learned Principal Judge was pleased to dismiss the appeal on 25.03.2013. The said order is under challenge in the present writ petition.

3. According to the learned Deputy Solicitor General of India appearing for the respondent Railways, the petitioner and her son have vacated the said plot and handed over the possession to the Railways in January 2012 itself. The learned Deputy Solicitor General of India has also produced letters to the effect, written by the son of the writ petitioner herein.

4. In view of the above said fact that the petitioner and her son have already vacated the said plot and handed over the vacant possession to the respondent Railways, no further adjudication is called for in the present writ petition. The writ petition stands closed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

17.10.2022



W.P(MD)No.6875 of 2013

Index : Yes / No
Internet : Yes / No
btr

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R.VIJAYAKUMAR, J.

btr

Order made in
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