



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.05.2022

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE
AND

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.[MD]No.10226 of 2022

and

W.M.P(MD) No.7255 of 2022

Valliammai

... Petitioner

Vs.

1.The District Collector,
Trichy District, Trichy.

2.The Tahsildar,
Marungapuri Taluk Office,
T.Kallupatti, Trichy District.

3.The Block Development Officer,
Marungapuri Union Office,
T.Kallupatti, Trichy District.

4. Joseph Arockiaraj

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned notice dated 25.04.2022 in Na.Ka.Aa2/3514/2020 issued by the third respondent and to quash the same and consequently direct the respondents 1 to 3 to conduct proper survey after affording sufficient opportunity to the petitioner and proceed in accordance with law for removal of encroachment made by the fourth respondent in S.F.No.533/33 of Palakurichi Village, Marungapuri Taluk, Trichy District.

For Petitioner : Mr.A.Arul Jenifer

For Respondents : Ms.D.Farjana Ghoushia
Special Government Pleader
for R1 and R2

Mr.J.K.Jeyaseelan,
Govt. Advocate (Civil Side)



O R D E R

[Order of the Court was made by **ABDUL QUDDHOSE, J.**]

This writ petition has been filed challenging the notice dated 25.04.2022 issued by the third respondent by which the petitioner's building was sought to be demolished in view of the fact that he had committed violation in constructing the building.

2. Today, learned Special Government Pleader appearing for the respondent, on instructions, would submit that the violation committed by the petitioner while constructing the building have been rectified by the petitioner himself and as such, there is no violation found as on date.

3. It is also submitted by the learned Special Government Pleader that the encroachment made by the fourth respondent has also been removed by the respondents. However, learned counsel for the petitioner submits that the alleged encroachment was removed by the respondents and not by the petitioner. It is also contended that there is no violation committed by the petitioner while constructing the building.

4. Since a categorical statement has been made by the respondents that as on date there is no encroachment made by the petitioner and the said encroachment has also been removed and further the fourth respondent's encroachment has also been removed, no useful purpose would be served in keeping this writ petition pending.

5. After recording the submission made by the respondents as stated supra, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Vacation Officer/
Assistant Registrar

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

pkn

To

1.The District Collector,
Trichy District,

Trichy.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Tahsildar,
Marungapuri Taluk Office,
T.Kallupatti, Trichy District.

3.The Block Development Officer,
Marungapuri Union Office,
T.Kallupatti, Trichy District.

+1 CC to M/s.SPL.GP (SR-23922[F] dated 20/05/2022)

W.P[MD]No.10226 of 2022
19.05.2022

RK(02/06/2022) 3P 5C