

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

and

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD) No.14905 of 2018

N.Ponniriyar

... Petitioner

Vs.

- 1.The District Collector,
Virudhunagar District,
Virudhunagar.
- 2.The Block Development Officer,
Sivakasi Taluk, Virudhunagar District.
- 3.The Tahsildar,
Sivakasi Taluk,
Virudhunagar District.
- 4.The Panchayat Secretary,
Saminatham Panchayat Office,
Saminatham Village,
Sivakasi Taluk, Virudhunagar District.

5.Subbuthayammal

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 to 4 herein to remove the encroachment made by the 5th respondent in 20 feet East West Public Pathway in Survey No.1339/3A within the limit Saminathan panchayat, Sivakasi Taluk, Virudhunagar District.

For Petitioner : Ms.S.Mahalakshmi

For Respondents : Mr.P.Thilak Kumar
Govt. Pleader for R1 to R3
No appearance for R4 & R5

ORDER

[Order of the Court was made by R.MAHADEVAN, J.]

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents 1 to 4 herein to remove the encroachments made by the fifth respondent in 20 feet East-West Public Pathway in Survey No.1339/3A situated at Saminathan panchayat, Sivakasi Taluk, Virudhunagar District, within a time frame.

2. Today, when the matter was taken up for hearing, the learned Government Pleader appearing for the respondents 1 to 3, on instructions, submitted that the petitioner is no more and he has produced the death certificate of the petitioner dated 24.10.2019, which shows that the petitioner died on 20.10.2019.

3. The above said submission of the learned Government Pleader as well as the death certificate of the petitioner are not refuted by the learned counsel for the petitioner. Thus, recording the above submission, this Writ Petition is closed. No costs.

[R.M.D., J.] [J.S.N.P., J.]

vsm

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R.MAHADEVAN, J.
and
J.SATHYA NARAYANA PRASAD, J.

vsm

To

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Virudhunagar District,
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- 2.The Block Development Officer,
Sivakasi Taluk, Virudhunagar District.
- 3.The Tahsildar,
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