



W.P.No.36929 of 2006

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2023

CORAM :

THE HON'BLE MR. JUSTICE R. MAHADEVAN

AND

THE HON'BLE MR. JUSTICE MOHAMMED SHAFFIQ

W.P.No.36929 of 2006 &
M.P.Nos.1 and 2 of 2006

P.Paramasivam

... Petitioner

Vs.

1.The Commissioner,
Pondicherry Municipality,
Pondicherry.

2.The Director,
Department of Survey and Land Records,
Government of Pondicherry,
Saram, Pondicherry.

3.The District Collector,
Pondicherry Town, Pondicherry.

4.A.Vengatachalam
5.M.Devanathan
6.Rajarathinam
7.N.Sambhavamurthy
8.A.Rajalakshmi
9.S.Nagarathinam
10.N.Chandrasekaran
11.Sundaram @ Ramalingam
12.Radhakrishnan
13.Rajarathinam

... Respondents



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Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Certiorari, to call for the records on the file of the first respondent in his proceedings No.964/Pu.Na/Va.Aa/1/Ni.A1/2006, dated 28.07.2006 and quash the same as illegal, incompetent and without jurisdiction.

For petitioner : Mr.V.Lakshminarayanan
For respondents : Mr.V.Vasanth Kumar
Additional Government Pleader
(Pondicherry) for R1 to R3

ORDER

(Order of the Court was made by R. MAHADEVAN, J.)

The prayer made in the writ petition is to quash the notice, dated 28.07.2006, issued by the first respondent, whereby, the petitioner was directed to vacate the encroached road portion within a period of 10 days.

2. Though the learned counsel for the petitioner submitted that the issue involved herein is covered by the earlier order dated 16.08.2019 passed in W.P.Nos.24861 to 24863 of 2006, the learned Additional Government Pleader appearing for the respondents 1 to 3 produced a copy of the report dated 07.02.2023 sent by the Commissioner, Office of the Deputy Commissioner, Pondicherry Municipality, Pondicherry and submitted that the petitioner died on 04.12.2007 (Death Certificate No.PM048140204230) and hence, nothing survives for further adjudication in this writ petition.



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3. Recording the above, this writ petition stands closed. No costs.

Consequently, connected miscellaneous petitions are also closed.

[R.M.D., J.] [M.S.Q., J.]
20.02.2023

r n s

Speaking Order

Internet : Yes.

Index : Yes.



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W.P.No.36929 of 2006

R. MAHADEVAN, J.
and
MOHAMMED SHAFFIQ, J.

r n s

To

- 1.The Commissioner,
Pondicherry Municipality,
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