



WP(MD)No.15169 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 24.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.15169 of 2014
and
MP(MD)Nos.2, 3 of 2014

A.Antony

... Petitioner

v.

1.The Revenue Divisional Officer,
Thukkalay,
Kanyakumari District.

2.The Tahsildar,
Kalkulam Taluk,
Kanyakumari District.

3.The Village Administrative Officer,
Manavalakurichi,
Kanyakumari District – 629 252.

4.The Revenue Inspector,
Colachel, Kanyakumari District.

5.G.Saroja

... Respondents



WP(MD)No.15169 of 2014

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorari calling for the records of the impugned proceedings passed by the second respondent in A6/21705/2014, dated 30.08.2014 directing to cut and remove the coconut tree within 15 days from the date of receipt of copy of order and quash the same.

For Petitioner : Mr.S.Xavier Rajini

For Respondents : Mr.S.Saji Bino,
Special Government Pleader
for R.1 to R.4

Mr.R.Mohanasundaram for R.5

ORDER

The petitioner and the fifth respondent are neighbours. The petitioner has planted a coconut tree in his land. With an allegation that the coconut tree is causing nuisance, the fifth respondent has approached the authorities for removing the coconut tree and has also filed a writ petition before this Court in WP(MD)No.11486 of 2014. This Court disposed of the said writ petition with a direction to the Tahsildar to pass orders on the representation of the fifth respondent, after issuing notice to the parties. Thereafter, the Tahsildar



WP(MD)No.15169 of 2014

conducted an enquiry and has ordered for removal of the coconut tree, which is impugned in this writ petition.

2.Learned Counsel for the petitioner submitted that the petitioner is no more and that the coconut tree, which is sought to be removed, was also cut and removed.

3.Learned Counsel for the fifth respondent submitted that he is not having any instructions, however, the writ petition may be disposed of based on the representation of the petitioner.

4.In view of the above submissions and by recording the representation made by the petitioner's Counsel that the coconut tree in the objectionable place has already been cut and removed, this writ petition stands closed. No costs. Consequently, connected miscellaneous petitions are closed.

Index : Yes / No
NCC : Yes / No
gk

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3/5



WP(MD)No.15169 of 2014

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WP(MD)No.15169 of 2014

B.PUGALENDHI, J.

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WP(MD)No.15169 of 2014

24.03.2023