



WEB COPY

W.P.(MD) No.19349 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.11.2023

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE MRS.JUSTICE R.KALAIMATHI**

W.P.(MD) No.19349 of 2023

and

W.M.P.(MD) No.16010 of 2023

N.Muralikrishnan

... Petitioner

-vs-

- 1.The District Collector
Collector Office Campus
Dindigul District
- 2.The Tahsildar
Tahsildar Office
Aathur
Aathur Taluk
Dindigul District
- 3.The Executive Officer
Pithalaipatti Panchayat
Aathur Panchayat Union
Sempatti, Dindigul District



WEB COPY

W.P.(MD) No.19349 of 2023

4.The President
Pithalaipatti Panchayat
Pithalaipatti Village
Aathur Taluk
Dindigul District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 to 3 to remove the encroachment made by the fourth respondent by putting up construction in the old Survey No.70/1 part and new Survey No.200/1, Pithalaipatti Panchayat Road, Dindigul District, within a time stipulated by this Court by considering the petitioner's representation dated 28.07.2023 and 01.08.2023.

For Petitioner : Mr.M.P.Senthil

For Respondents : Mr.T.Amjad Khan
Government Advocate

ORDER

[Order of the Court was made by S.M.SUBRAMANIAM, J.]

The relief sought for in this writ petition is to direct the respondents 1 to 3 to remove the encroachment made by the fourth respondent by putting up a construction in old Survey No.70/1 Part, new



W.P.(MD) No.19349 of 2023

WEB COPY

Survey No.200/1 of Pithalaipatti Panchayat Road, Dindigul District, within a time stipulated by this Court, based on the petitioner's representations dated 28.07.2023 and 01.08.2023.

2. Today, when the matter was taken up for hearing, learned Government Advocate appearing for the respondents made a submission that the encroachment has already been removed by the fourth respondent and to that effect, he has also produced a status report, dated 01.10.2023, filed by the Tahsildar / second respondent. The relevant portion of the status report is extracted hereunder:

“5. I respectfully submitted that on the advice of the 2nd respondent the 4th respondent herein removed the construction made by the panchayat and restored to the original position, Hence the direction of these Hon'ble Court was complied with letter and spirit and also we have enclosed the photos of the present position.”

3. In view of the fact that the grievance of the petitioner has already been redressed, no further adjudication is required.



WEB COPY

W.P.(MD) No.19349 of 2023

4. Accordingly, taking note of the submissions made by the learned Government Advocate, as mentioned supra, the writ petition is closed. No costs. Consequently, connected miscellaneous petition is closed.

[S.M.S., J.]

[R.K.M., J.]

03.11.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

krk

To:

- 1.The District Collector,
Collector Office Campus,
Dindigul District.
- 2.The Tahsildar,
Tahsildar Office,
Aathur, Aathur Taluk,
Dindigul District.
- 3.The Executive Officer,
Pithalaipatti Panchayat,
Aathur Panchayat Union,
Sempatti, Dindigul District.
- 4.The President,
Pithalaipatti Panchayat,
Pithalaipatti Village,
Aathur Taluk,



WEB COPY

Dindigul District.

W.P.(MD) No.19349 of 2023

S.M.SUBRAMANIAM, J.
and
R.KALAIMATHI, J.

krk

W.P.(MD) No.19349 of 2023
and
W.M.P.(MD) No.16010 of 2023



WEB COPY



W.P.(MD) No.19349 of 2023

03.11.2023