



W.P(MD)No.23584 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 05.07.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.23584 of 2016

S.M.Marimuthu

... Petitioner

Vs.

**1.The Commissioner,
Karaikudi Municipality,
Sivagangai District.**

**2.The Inspector of Police,
North Police Station, Karaikudi,
Sivagangai District.**

3.Pooranathammal @ Paripooranam

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents 1 & 2 to remove the third respondent the illegal occupier from the petitioner's shop No.34 of Anna Daily Market of Karaikudi Municipality.

For Petitioner : no appearance

**For Respondents : Mr.A.Albert James
Government Advocate (Crl.side) for R2
: Mr.D.Venkatesan for R1
: no appearance for R3**



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ORDER

None appears for the petitioner.

2. The case is posted under the caption “for dismissal”. The petitioner wants the municipal authority as well as the jurisdictional police to remove the third respondent from Shop No.34 of Anna Daily Market of Karaikudi Municipality. According to the petitioner, the third respondent is an illegal occupant. During the pendency of the writ petition, the Commissioner, Karaikudi Municipality had issued the proceedings dated 14.10.2016 recognizing the third respondent as a lessee. Earlier, the lease stood in the name of the petitioner. In view of the issuance of the subsequent proceedings, the status of the third respondent is no longer that of un-authorised or an illegal occupant. The writ petition has to be dismissed. It is accordingly dismissed. No costs.

05.07.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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