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W.P. No. 30816 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2024

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

**W.P. No. 30816 of 2023
and
W.M.P. No. 30494 of 2023**

S. Karthikeyan

... Petitioner

-VS-

1. The District Collector,
Villupuram District,
Villupuram 605 602.
2. The Block Development Officer,
Mugaiyur Block,
Manampoondi,
Villupuram District 605 759.
3. The President,
Veerangipuram Panchayat,
Veerangipuram Village,
Kandachipuram Taluk,
Villupuram District 605 701.
4. The Tahsildar,
Kanchipuram Taluk,
Villupuram District.

... Respondents

(R4 suo motu impleaded as per order dated
08.01.2024 in W.P. No. 30816 of 2023)

Prayer:- Writ Petition filed under Article 226 of the Constitution of India,
1950, praying to issue a Writ of Mandamus, forbearing the Third Respondent



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from laying the sewerage channel in respect of the Petitioner's Patta land situated in Old S.No.12/1, New S.No.100/10 bearing Grama Natha Patta No.74, V.Pudupalayam Village and Post, Kandachipuram Taluk, Villupuram District 605 701.

For Petitioner : Mr. J.Lakshmi Narayanan
For Respondents : Mr. V.Ravi (for R1 and R4)
Special Government Pleader
Mr. B.Vijay (for R2 and R3)

ORDER

Heard Mr. J.Lakshmi Narayanan, Learned Counsel for the Petitioner, Mr. V.Ravi, Learned Special Government Pleader appearing for the First and Fourth Respondents and Mr. B.Vijay, Learned Counsel for the Second and Third Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance ventilated by the Petitioner is that he had made a representation dated 08.09.2023 that the Second and Third Respondents without any authority of law are high-handedly digging his private land in Old



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Survey No. 12/1, New Survey No. 100/10, V.Pudupalayam Village & Post, Kandachipuram Taluk, Villupuram District for sewerage channel, but as it did not evoke any response, it has necessitated the filing of this Writ Petition.

3. It was represented by Learned Additional Government Pleader appearing for the Respondents during the earlier hearing on 11.12.2023 that the First Respondent has already deputed the jurisdictional Tahsildar to inspect the property along with Surveyor and measure the same with reference to the entries made in the revenue records to ascertain as to whether the contentions of the Petitioner is factually correct. Subsequently, when the matter came up on 08.01.2024, the Tahsildar Kandachipuram Taluk, Villupuram District had filed a report dated 05.01.2024 in which it has been stated as follows:-

“ 2. I submit that as per direction of the Hon'ble High Court of Madras, the field inspection of Writ Petition mentioned property and government properties was duly deputed to the Revenue Surveyor, Kanchipuram and upon inspection it is found that pit was dugged up in the S.No. 100/10 and upon instruction to the 3rd respondent, he has ceased the work at Writ Petitioner's patta land and carried out construction of sewerage channel work in Government Poromboke land in S.No.100/1 and S.No.100/11. The



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sewerage Channel work is now carried out only in Government Poromboke land in S.No.100/1 and S.No.100/11 as per the report submitted by the Revenue Surveyor dated 20-12-2023.

3. *I submit that upon perusal of the report and revenue records and spot inspection by me it is revealed that the sewerage channel work is now carried out only in Government Poromboke land in S.No.100/1 – 00630 Sq. Meter and S.No.100/11 00243 Sq. Meter and I am submitting this detailed report enclosing the copy of report submitted by Revenue Surveyor, Natham Nilavari Thitta Thooya Adangal extract of S.No.100/10, S.No.100/1 and S.No.100/11 along with the FM Plan for Verangipuram Village S.No.100/10.”*

4. Learned Counsel for the Petitioner states that as the land has been restored to the same state as it originally stood, the relief sought in the Writ Petition has become infructuous and he has made an endorsement to that effect in the court record.



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In fine, the Writ Petition is disposed. Consequently, connected

Miscellaneous Petition is closed. No costs.

20.02.2024

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 26.03.2024.

gsa

To

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P.D. AUDIKESAVALU, J.

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