



W.P.No.30012 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 02.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.SUNDAR
and
THE HONOURABLE MR. JUSTICE HEMANT CHANDANGOUDAR

W.P.No.30012 of 2024
&
W.M.P.No.32721 of 2024

J.Venkatesan

... Petitioner

vs.

1. The Commissioner
Vadalur Municipality
Vadalur, Kurinjipadi Taluk
Cuddalore District

2. Mr.Rajavannian
S/o.Arunachalam

3. Mr.Mayavel
S/o.Arunachalam

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a writ of certiorarified mandamus calling for the records and quash the impugned notice of the first respondent in Na.Ka.No.448/2024/F1 dated 19.09.2024 and consequently forbearing the respondents from in any manner interfering with petitioner's possession and enjoyment of the property bearing S.No.123/8 Ac.0.15 in Parvathipuram, Vadalur, Vadalur Municipal Limits, Kurinjipadi Taluk, Cuddalore District.

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For petitioner : Mr. D.Baskar

For Respondents : Mr. S.Vinod
for Dr.S.Suriya for R1

Mr.N.R.Rajagopalan for R2 and R3

ORDER

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

'A notice purportedly under Section 128 (1)(b) of 'The Tamil Nadu Urban Local Bodies Act, 1998 (Act 9 of 1999)' (hereinafter 'TNULB Act' for the sake of convenience and clarity) issued by R1 {to be noted, writ petitioner is noticee} qua S.No.122 in Parvathipuram, Vadalur, Vadalur Municipality, Cuddalore District' [hereinafter 'said notice' for the sake of convenience] has been called in question in the captioned main 'Writ Petition' ['WP' for the sake of brevity].

2. Notice was issued and Mr.S.Vinod, learned counsel representing Dr.S.Suriya, learned Standing counsel for R1 and Mr.N.R.Rajagopalan, learned counsel for R2 and R3 are before us.

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3. In an earlier listing on 12.02.2025 when learned counsel for R1 submitted that alleged encroachment as regards S.No.122 has since been removed, learned counsel for writ petitioner disputed the same and the following proceedings came to be made:

**'W.P. No.30012 of 2024
and
W.M.P. No.32712 of 2024**

**M.SUNDAR,J.,
and
K.GOVINDARAJAN THILAKAVADI, J.,**

(Order of the Court was made by M.SUNDAR, J.)

Mr.Gururaj, learned counsel representing the counsel on record for writ petitioner is before us on VC (video conferencing) platform and Mr.K.B.Rohith, learned counsel representing the counsel on record for writ petitioner is before us in physical Court. To be noted, this is a hybrid hearing, which is a regular/routine/daily feature in this Court.

2. Mr.T.K.Saravanan, learned Additional Government Pleader submits that encroachment has since been removed but it is subjected to disputation by learned counsel for writ petitioner. Let the State file a status report with supporting documents/photographs.

3. List six weeks hence. List on 26.03.2025.

**(M.S.J.) (K.G.T.J.)
12.02.2025'**



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4. Today, Mr.D.Baskar, learned counsel for writ petitioner submits that the writ petitioner has no interest whatsoever in S.No.122 and that the writ petitioner's property is situate in some other survey number.

5. As regards private respondents viz., R2 and R3, [to be noted, private respondents are the informants, who complained about alleged encroachment qua S.No.122], Mr.N.R.Rajagopalan, learned counsel submits that encroachments in S.No.122 have since been removed and the land in S.No.122 has been put to public use. Learned counsel submits that a 'Public Distribution System' ('PDS') shop is situate in S.No.122 and learned State counsel for R1 also confirms this position.

6.The narrative thus far brings to light that the impugned notice has lost steam or in other words, winds have been taken out of the sails of the impugned notice and it is now a damp squib. Therefore, a further legal drill is really not necessary. It will suffice to record the stated position of the learned counsel for the parties captured supra to give a closure to the captioned main WP and captioned WMP thereat. We do so.



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Captioned WP and captioned WMP thereat are disposed of as closed

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recording the stated position of the learned State counsel, learned counsel for writ petitioner and learned counsel for private respondents R2 and R3.

There shall be no order as to costs.

[M.S., J.]

[H.C., J.]

02.07.2025

Index : Yes / No

Neutral Citation : Yes / No

Speaking order / Non-speaking order
gpa

To

The Commissioner
Vadalur Municipality
Vadalur, Kurinjipadi Taluk
Cuddalore District



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and
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