

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20/8/2015

C O R A M

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
and
THE HON'BLE MR. JUSTICE K.K.SASIDHARAN

W.A. No.1093 of 2015

and

M.P. No.1 of 2015

Mrs.C.Kamatchi

...Appellant/Petitioner

Vs

1. The District Collector-cum-Arbitrator
under the National Highways Act
Collectorate
Kancheepuram District.
2. The Competent Authority &
Special District Revenue Officer (L.A)
National Highways
Kancheepuram District.
3. National Highways Authority of India
rep. By its Project Director
Project Implementation Unit
No.1/54-28
Butt Road
St. Thomas Mount
Near Kathipara Junction
Chennai 600 016.
4. The Divisional Engineer (Highways)
Construction and Maintenance
Chennai City Road Division
Saidapet
Chennai 600 015.

...Respondents/Respondents

Writ Appeal filed under Clause 15 of the Letter Patent to set aside the order passed by the learned Judge in W.P.No.29575 of 2014 dated 17/2/2015 and consequently inject the fourth respondent not to enter into the land of appellant in S.N:178/2b without following the due process of law.

W.P.No.29575 of 2014:

Writ Petition filed under Article 226 of the Constitution of India, a Writ of Mandamus, forbearing the respondents from dispossession the petitioner from the petitioner land survey No.178/2b to an extent of 3976 square feet covered under the registered sale deed No.11713/2007 dated 31.12.2007 without following the due process of law.

For appellant : Mr.D.Muthukumar

J U D G M E N T

(Judgment of the Court was made by SATISH K. AGNIHOTRI,J.,)

Learned counsel appearing for the appellant submits that factual mistakes have occurred in the judgment sought to be appealed, as the fourth respondent is an Officer of National Highways and not the Special District Revenue Officer.

2. In that view of the matter, the appellant seeks permission to withdraw the writ appeal with liberty to file review before the writ Court and makes an endorsement to that effect, as under:

"Permit me to withdraw to file a review before the learned Single Judge."

3. Accordingly, the writ appeal is dismissed as withdrawn with liberty to file a review before the writ Court, if so advised, under the provisions of law. Consequently, M.P. No. 1 of 2015 is dismissed. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

mvs.

To

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Chennai 600 015.
- 1 CC to Mr.D.Muthukumar, Advocate SR.No. 44336
- 1 CC to the Government Pleader, SR.No. 44480

PUR (CO)
PSI (03.09.2015)

W.A. No.1093 of 2015

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