

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE:10-06-2015

CORAM:

THE HONOURABLE MR. JUSTICE SATISH K. AGNIHOTRI
AND
THE HONOURABLE MR. JUSTICE M. VENUGOPAL

W.P.No.14997 of 2015

and

M.P.Nos.1 to 3 of 2015

T.Balakrishnan
S/o.Thangamuthu
NO.50/25 Varun Flats
Venugopal Street
Mogappair East, Chennai-37

...Petitioner

Vs

- 1 The District Collector
Thiruvallur District
Thiruvallur
- 2 The Revenue Divisional Officer
Ponneri Division, Ponneri
- 3 The Assistant Divisional Engineer
Highways Dept. Construction and
Maintenance Metropolitan Road
Sub Division I, Saidapet, Chennai-15
- 4 The Tahsildar
Ambattur Taluk
Thiruvallur District

...Respondents

Petition filed under Article 226 of the Constitution of India praying for a writ of certiorari calling for the records of the 4th respondent's notice dated 15.4.2015 under Ref. No.5622/ 2014/C-1 allegedly issued under section 6 of the Tamil Nadu Land Encroachment Act 1905 and quash the same as illegal and invalid and not binding on the petitioner

For petitioner : Mr. B. Balachander

For respondents : Mr. P.S. Shivashanmugha Sundaram,
Spl.G.P.

ORDER

(Order of the Court is made by SATISH K. AGNIHOTRI, J.)

The petitioner seeks permission to withdraw this petition with liberty to take recourse to the appellate forum with a direction to consider the appeal within a stipulated time. An endorsement to this effect has also been made as under:

"Since the challenging impugned order of the present writ petition u/s 10(a) of the Tamil Nadu Encroachment Act. Hence the petitioner prays the liberty to not press the writ petition and to agitate before the appellate authority."

2. We, accordingly, dismiss the writ petition as withdrawn, with liberty as aforesaid, if so advised. It is needless to state that if an appeal is filed along with the application for interim relief, the officers are well advised to consider the application for interim relief to avoid further complications at the earliest, preferably within a period of two weeks, from today and also to consider the appeal within the statutory period prescribed under the provisions of law, on its own merits and in accordance with law. There shall be an order of status quo as on today for a period of two weeks. No costs. The connected miscellaneous petitions are also dismissed.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

glp

To

- 1 The District Collector
Thiruvallur District
Thiruvallur
- 2 The Revenue Divisional Officer
Ponneri Division, Ponneri
- 3 The Assistant Divisional Engineer
Highways Dept. Construction and
Maintenance Metropolitan Road
Sub Division I, Saidapet, Chennai-15
- 4 The Tahsildar
Ambattur Taluk
Thiruvallur District.

2 CCs to Mr.Ashok Menon, Advocate SR.No. 27870

1 CC to the Government Pleader, SR.No. 28075

W.P.No.14997 of 2015

SV - I (CO)
PSI (19.06.2015)



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