

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 18.10.2016

Coram:

The Honourable Mr.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
The Honourable Mr.Justice R.MAHADEVAN

W.P.No.6052 of 2013

Ramadoss

... Petitioner

Versus

1.The District Collector,
Tiruvannamalai District,
Tiruvannamalai.

2.The Revenue Divisional Officer,
Cheyyar, Tiruvannamalai District.

3.The Tahsildar,
Arni,
Tiruvannamalai District.

4.S.Mani

.... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issue of a Writ of Certiorarified Mandamus, to call for the records of the 3rd respondent pertaining to the proceedings vide Na.Ka.No.G2/1661/02 dated 02.02.2013, issued under the Land Encroachment Act and its consequent eviction notice dated 25.02.2013 issued under Section 6 of the Land Encroachment Act by the 3rd respondent and quash the same and further direct the respondents 1 to 3 to grant in favour of the petitioner as per G.O.No.854 of 2006 in view of the Judgment of this Court in W.A.No.2397 of 2003 dated 25.07.2007 filed by the petitioner.

For Petitioner ::: Mr.Karthik Ashok
for Mr.J.Ashok.

For Respondents ::: Mr.A.Jeenasenan for R.4
Mr.Vijayakumar AGP
for R.1 to R.3

O R D E R

(The Order of the Court was made by
The Hon'ble The Chief Justice)

After some arguments, learned counsel for the petitioner seeks to withdraw the writ petition as the petitioner has not exhausted the alternative remedy of appeal under Section 10 of the Tamil Nadu Land Encroachment Act, 1905.

2. The writ petition stands dismissed as withdrawn in terms of the aforesaid, leaving the parties to bear their own costs.

3. The status quo order granted by this Court is extended for two weeks to facilitate filing of appeal with a stay application, making it clear that the same is not a reflection of the merits of the controversy and it is for the appellate authority to consider whether the interim order should or should not be granted.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

ksr

To

1.The District Collector, Tiruvannamalai District,
Tiruvannamalai.

2.The Revenue Divisional Officer, Cheyyar, Tiruvannamalai
District.

3.The Tahsildar, Arni, Tiruvannamalai District.

+1 cc to M/s.J.Ashok Advocate sr 58781

+1 cc to the Government Pleader High Court Madras sr 58846

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