

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:20.07.2016

CORAM

The Honourable MR. JUSTICE N.KIRUBAKARAN

W.P.No.25038 of 2016
and W.M.P.No.21468 of 2016

M.Gandhi [Petitioner]
Proprietor M/s. Gandhi
Service Station
56, Arakkonam Road Dealer
Indian Oil Corporation
Tiruttani-631 209

Vs

- 1 The General Manager
Railway Department Southern Railway
Park Town Chennai-600 003
- 2 The Divisional Railway Manager
(Land Section)
The Divisional Railway Managers Office
Works Branch, Southern Railway
Park Town Chennai-600 003
- 3 The Additional Divisional
Railway Manager (Land Section)
Works Branch, Southern Railway
Park Town Chennai-600 003 [Respondents]

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing 1st respondent to dispose of appeal to sort out the lease amount by way of retrospective effect B Notice given by the 2nd respondent against the petitioner herein and furthering respondents 2 and 3 or their men servants agents or others acting on his behalf from in any manner disturbing the peaceful possession of the petition schedule mentioned property till the disposal of the appeal.

For Petitioner : Mr.K.V.Ramesh

ORDER

Learned counsel for the petitioner seeks permission of this Court to withdraw the writ petition with liberty to file an appeal under Section 9(3) of the Tamil Nadu Public Premises (Eviction of Unauthorised Occupants) Act, 1975, as against the

order dated 03.05.2016.

2. The proper remedy available to the petitioner is only to file an appeal. Therefore, this writ petition is dismissed as withdrawn with liberty to the petitioner to file an appeal as against the order dated 03.05.2016 under the above said Act.

No costs. Connected miscellaneous petition is also dismissed.

20.07.2016

rg

To

- 1 The General Manager
Railway Department Southern Railway
Park Town Chennai-600 003
- 2 The Divisional Railway Manager
(Land Section)
The Divisional Railway Managers Office
Works Branch, Southern Railway
Park Town Chennai-600 003
- 3 The Additional Divisional
Railway Manager (Land Section)
Works Branch, Southern Railway
Park Town Chennai-600 003

- + 1 cc to Mr.K.V.Ramesh, Advocate SR.40943
+ 1 cc to Mr.P.T. Ramkumar, Advocate Sr.41036

W.P.No.25038 of 2016

SR(CO)
Eu 16.08.16