

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.03.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE M.M.SUNDRESH

W.A. No.350 of 2016
and C.M.P.No.5279 of 2016

M.Palanivel

.. Appellant/Petitioner

-vs-

The Revenue Divisional Officer,
Vanur Taluk, Vanur,
Villupuram District.

.. Respondent/Respondent

Appeal filed under Clause 15 of the Letters Patent against the order dated 18.12.2014 passed in W.P.No.10952 of 2014 on the file of this Court.

Petition filed Under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records pertaining to the respondents proceedings bearing Na.Ka.A4/3012/2013, dated 6/01/2014, and to quash the same.

For Appellant : Mr.K.R.Krishnan

For Respondents : Mr.V.R.Kamalanathan,
Addl. Govt. Pleader.

J U D G M E N T

(Judgment of the Court was delivered by The Hon'ble Chief Justice)

Learned counsel for the appellant, after some arguments, states that he wants to withdraw the appeal and that since he has directly approached the Writ Court without availing of the appellate remedy, he may be permitted to avail the appellate remedy. He submits that it was under some wrong legal advice that the writ petition was filed and that should not deprive him of the right of appeal.

2.We are of the view that if he seeks to do so, he must now deposit at least a part of the amount. We would have normally asked at least 25% of the amount to be deposited, but learned counsel for the appellant submits that it would be a huge amount and not even worth the land.

3.In the peculiar facts and circumstances of the case, we permit the appeal to be filed within a period of thirty (30) days from today, subject to deposit of 10% of the total amount.

4.Writ Appeal is dismissed as withdrawn in terms aforesaid. In view of the prayer made, the writ petition itself is treated as withdrawn. No costs. Consequently, C.M.P.No.5279 of 2016 also stands dismissed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To

The Revenue Divisional Officer,
Vanur Taluk, Vanur, Villupuram District.

+1cc to M/S.K.R.Krishnan, Advocate, S.R.No.17930
+1cc to the Government Pleader, S.R.No.18105

W.A.No.350 of 2016

ug (CO)
srg (04/04/2016)

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