

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.10.2016

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P.No.35596/2016

Mr.K.Annamalai .. Petitioner

Vs.

- 1.The Tahsildar
Kalasapakkam, Tiruvannamalai
District.
- 2.The Revenue Divisional Officer
Kalasappakkam Divisional Office
Kalasappakkam.
- 3.The Firka Surveyor
Taluk Office, Kalasapakkam
Tiruvannamalai District.
- 4.The Village Administrative Officer
Kapalur Village, Kalasappakkam Taluk
Tiruvannamalai District.
- 5.The Superintendent of Police
Tiruvannamalai District,
Tiruvannamalai.

6.Mr.G.Sagadevan .. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of certiorarified mandamus calling for the records in Na.Ka.No.F/4689/2016 from the file of the 1st respondent and quash the order dated 16.09.2016 made therein and consequently direct the 1st respondent to carry out the survey inspection of the property at

Grama Natham Survey No.734/15, Kapalur Village, Kalasappakkam Taluk, Tiruvannamalai District, in accordance with the Tamil Nadu Survey Boundaries Act with police protection and furnish a copy of the order and a copy of the map recording boundaries and to issue separate patta in the name of the petitioner within the time stipulated by this Court.

For Petitioner : M/s.Pass Associates
For RR 1 to 5 : Mr.A.Kumar, Spl.GP

ORDER

By consent, the writ petition is taken up for final disposal.

2 The petitioner challenges the order passed by the 1st respondent dated 16.09.2016 and to direct the 1st respondent to inspect and survey the property in question in accordance with the statute/Act.

3 Heard the learned counsel for the petitioner and Mr.A.Kumar, learned Special Government Pleader who accepts notice on behalf of the respondents 1 to 5 and he would submit that as against the impugned order of the 1st respondent dated 16.09.2016, the petitioner is having an effective and alternate remedy of an appeal before the Revenue Divisional Officer, Kalasappakkam Taluk, Tiruvannamalai District.

3 At this stage, the learned counsel for the petitioner

sought permission of this Court to withdraw this writ petition with liberty to prefer an appeal before the Revenue Divisional Officer, Kalasappakkam Taluk, Tiruvannamalai District. He has also made an endorsement in the writ petition to that effect.

4 Accordingly, the writ petition is dismissed as withdrawn. Liberty sought for by the petitioner is granted, permitting him to prefer an appeal before the Revenue Divisional Officer, Kalasappakkam Taluk, Tiruvannamalai District. No costs.

5 The Registry is directed to return the original impugned order to the learned counsel for the petitioner, after getting necessary and due endorsement.

06.10.2016

AP

B.RAJENDRAN, J.,

AP

To

- 1.The Tahsildar
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District.
- 2.The Revenue Divisional Officer
Kalasappakkam Divisional Office
Kalasappakkam.
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Kapalur Village, Kalasappakkam Taluk
Tiruvannamalai District.
- 5.The Superintendent of Police
Tiruvannamalai District,
Tiruvannamalai.

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