



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.10.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN
and
THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P.(MD) No.19091 of 2016
and
W.M.P.(MD) No.13791 of 2016

S.Rajasekaran

... Petitioner

-vs-

- 1.The District Collector
Sivagangai District, Sivagangai
- 2.The Executive Officer
Manamadurai Selection
Grade Town Panchayat
Manamadurai, Sivagangai District
- 3.The Tahsildar
Manamadurai Taluk
Sivagangai District
- 4.The Superintendent of Police
Sivagangai District, Sivagangai
- 5.The Inspector of Police
Manamadurai, Sivagangai District
- 6.M.Nagaraj @ Raja

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents 1 to 3 to remove the encroachment made in the common pathway by the 6th respondent between the petitioner's house and the 6th respondent's house based on the petitioner's representation, dated 27.06.2016.

For Petitioner : Mr.N.Madhava Govindan

For Respondents : Mr.V.R.Shanmuganathan

**O R D E R****[Order of the Court by M.SATHYANARAYANAN, J.]**

After some arguments, the learned counsel appearing for the petitioner sought permission of this Court to withdraw the writ petition with liberty to workout his remedy before the competent civil forum, in the light of the Judgment and decree, dated 26.02.2010, passed in O.S.No.48 of 2009, by the learned Principal District Munsif, Manamadurai, coupled with the order and decreetal order, dated 07.10.2014, passed in I.A.No.356 of 2014 in O.S.No.113 of 2014, by the learned Principal District Munsif, Manamadurai, and he has also made an endorsement to that effect.

2. In view of the endorsement so made, the writ petition is dismissed as withdrawn with liberty as prayed for. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (P&A)

/True Copy/

Sub Assistant Registrar

krk

To:

1.The District Collector,
Sivagangai District, Sivagangai.

2.The Executive Officer,
Manamadurai Selection,
Grade Town Panchayat, Manamadurai,
Sivagangai District.

3.The Tahsildar,
Manamadurai Taluk,
Sivagangai District.

4.The Superintendent of Police,
Sivagangai District, Sivagangai.

5.The Inspector of Police,
Manamadurai, Sivagangai District.

+1cc to Spl.Government Pleader Sr.No. 59099
JAM/14.10.16/GSV-PM/2p-7c

W.P. (MD) No.19091 of 2016**and****W.M.P. (MD) No.13791 of 2016****03.10.2016**