

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2017

CORAM :

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

The Hon'ble MR.JUSTICE M.SUNDAR

W.P.No.923 of 2017

P.Selvarajan

... Petitioner

-Vs-

1. The District Collector,
Salem District,
Salem - 636 001.
2. The Revenue Divisional Officer,
Attur - 636 102,
Salem District.
3. The Assistant Director,
Salem District Land & Survey Office,
Salem - 636 001.
4. The Tahsildar,
Attur Taluk Office,
Attur - 636 102,
Salem District.
5. The Divisional Engineer,
State Highway Department,
Construction and Maintenance,
Salem - 636 007.
6. The Assistant Divisional Engineer,
State Highways Department,
Construction and Maintenance,
Attur - 636 102, Salem District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents to conduct proper measurement as per the FMB of the year 1926-27 and 1964-1965 and to remove the permanent encroachments made on the Salem-Ulunthurpettai Highways Road bearing No.55 totally 1.650 km starting from 50/350 to 52/000 (Attur T.S.Nos.469, 511, 515, 516, 534 to 540) according to the old FMB.

For Petitioner : Mr.V.Elangovan
For Respondents : Mr.T.N.Rajagopalan
Special Government Pleader

ORDER

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

After some arguments, the learned counsel for the petitioner seeks to withdraw the petition, as there is no allegation of encroachment existing as per 1999 survey, but only as per the earlier surveys, which cannot be accepted.

2. The writ petition is dismissed as withdrawn with liberty to file an appropriate petition. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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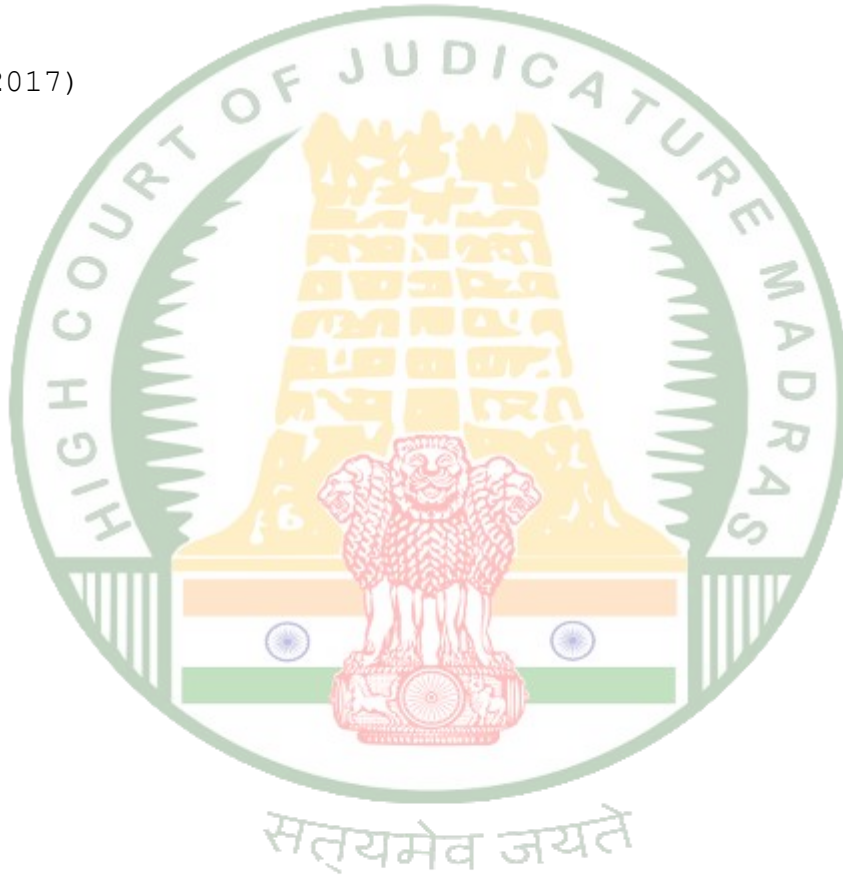
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Salem District.

+1cc to Mr.S.Doraisamy, Advocate, S.R.No.3118
+1cc to the Government Pleader, S.R.No.2942

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PA(CO)
CA(24/01/2017)



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