

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE C.T.SELVAM
AND

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P.No.30564 of 2017

Noyyal River Ayacutdars Protection
Association (Regd. No.64 of 2013)
represented by Manickam Athappa Gounder
Coordinator - NRAPA,
7/41B, Avinashi Road,
Civil Aerodrome Post,
Coimbatore - 641 014.
Petitioner

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- Vs -

1. The Principal Secretary,
Government of Tamil Nadu,
Fort St.George, Chennai.
2. The District Collector,
Tiruppur District,
Tiruppur.
3. The District Collector,
Karur District, Karur.
4. The District Collector,
Erode District, Erode.
5. The Tahsildar,
Perundurai Taluk,
Erode District, Erode.
6. The Tamil Nadu Pollution Control Board,
represented by its Member Secretary,
G.S.T.Road, Guindy,
Chennai - 600 025.

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Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records of the fifth respondent in District Bulletin

No.35 dated 06.10.2017 in Na.Ka.10799/2015(E-2) dated 04.10.2017, quash the same and consequently, to direct respondents 2 to 4 not to proceed with the revenue recovery proceedings against the members of the petitioner's association by considering the undertaking given by the members of the Petitioner's Association dated 24.06.2016 to satisfy the alternative arrangement as per Section 26 of the Revenue Recovery Act.

For Petitioner : Mr.M.L.Ramesh
For Respondents : Mr.M.Santhanaraman
Additional Government

Pleader

O R D E R

[Order of the Court was made by C.T.SELVAM, J]

On the prior occasion it was brought to notice that a writ petition seeking deferment of revenue recovery proceedings against petitioner, Noyyal River Ayacutdars Protection Association, already was pending, has been suppressed. It was the contention on behalf of respondents that besides such fact the fact of the authorities having moved towards recovery pursuant to pendency of Contempt Petition No.3213 of 2014 had also been suppressed.

2. Learned counsel for petitioner, who on the prior occasion informed that he had no knowledge of the pendency of earlier writ petition presently submits that the earlier writ petition has been withdrawn and further that the remedy sought by way of present writ petition is towards relief u/s.26(2) of the Tamil Nadu Revenue Recovery Act. Informing thus, learned counsel seeks permission to withdraw the present writ petition with liberty to move afresh. In the aforesaid circumstances, this Court is pleased to permit withdrawal of the writ petition.

Recording the endorsement made by learned counsel for petitioner, this Writ Petition is dismissed as withdrawn with liberty to petitioner to move afresh. No costs. Connected miscellaneous petitions are closed.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

gm

To

1. The Principal Secretary,
Government of Tamil Nadu,
Fort St.George, Chennai.
2. The District Collector,
Tiruppur District,
Tiruppur.
3. The District Collector,
Karur District, Karur.
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Chennai - 600 025.

+1 CC to Mr.M.L. Ramesh, Advocate sr 86530.
+1 CC to Spl. Govt. Pleader sr 85336.

W.P.No.30564 of 2017

AD(CO)
SP(18/12/2017)

सत्यमेव जयते

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