

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.08.2017

CORAM:

THE HON'BLE MR. JUSTICE M.SATHYANARAYANAN

And

THE HON'BLE MR.JUSTICE N.SESHASAYEE

W.P.No.19870 of 2017
WMP.No.21643 of 2017

P.Ramasamy

.. Petitioner

vs.

1.The Secretary to Government,
Revenue Department,
Fort St.George,
Chennai-600 009.

2.The Commissioner of Land Administration,
Revenue Department,
Ezhilagam, Chepauk,
Chennai-600 005.

3.The District Collector,
Thiruvallur, Thiruvallur District.

4.The Tahsildar,
Ambattur Taluk,
Ambattur, Chennai-600 053.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for the records of the 3rd respondent pertaining to impugned order in Na.Ka.15721/97/A1 dated 24.07.2017

and quash the same as illegal, arbitrary and non est in law and consequently forbear the respondents from interfering with the petitioner peaceful possession and enjoyment of property comprised in S.No.320/2C of Padi Village, Ambattur Taluk, Thiruvallur District admeasuring to an extent of 680 sq.ft.

For Petitioner : Mr.B.Vijay

For Respondents : Mr.A.N.Thambidurai,
Special Government Pleader for R1 to R4

ORDER

(Order of the Court was made by **M.SATHYANARAYANAN, J.**)

After some arguments, the learned counsel appearing for the petitioner, on instructions, seeks the permission of this Court to withdraw the writ petition with liberty to approach the Revisional Authority/Commissioner of Land Administration under Section 10-A of the Land Encroachment Act, 1905 and further prays that till such time he approach the Revisional Authority, some interim protection may be given. The learned counsel appearing for the petitioner has also made an endorsement to that effect.

2. Heard the submissions of Mr.A.N.Thambidurai, learned Special Government Pleader appearing for the respondents and also perused the entire materials placed before it.

3. In the light of the endorsement made, this Writ Petition is dismissed as withdrawn with liberty to the petitioner to approach the Revisional Authority within a period of four weeks from the date of receipt of a copy of this order and till such time, the respondents 3 and 4 shall defer further proceedings in terms of the impugned notice and the Revisional Authority, shall entertain the Revision, if the papers are otherwise in order and give disposal in accordance with law as expeditiously as possible within a period of eight weeks thereafter and communicate the decision taken, to the petitioner. No costs. Consequently, connected Miscellaneous Petition is dismissed.

[M.S.N., J.] [N.S.S., J.]
17.08.2017

Index : Yes / No
Internet : Yes / No
jvm

Note: Registry is directed to return the Original Impugned Order to the learned counsel appearing for the petitioner under due and proper acknowledgment.

To

1. The Secretary to Government,
Revenue Department,
Fort St. George, Chennai-600 009.

M.SATHYANARAYANAN, J.,
and

N.SESHASAYEE, J.

jvm

2.The Commissioner of Land Administration,
Revenue Department,
Ezhilagam, Chepauk,
Chennai-600 005.

3.The District Collector,
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4.The Tahsildar,
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