

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.01.2017

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

W.P.No.17695 of 2003
& WPMP No.22122 of 2003

K.M.Sulthan Mohideen .. Petitioner
Vs.

1. The District Collector
Trichirapalli District
Trichy -1
2. The Land Acquisition Officer cum
Revenue Divisional Officer
Collectorate
Trichirappalli 620 001
3. The Divisional Engineer (Project -1)
Highways, Subramaniyapuram
Trichy 620 020
4. The Commissioner
Trichirapalli Municipality Corporation,
Trichy 620 001 .. Respondents

Petition filed under Article 226 of The Constitution of India, praying for the issuance of a Writ of Mandamus forbearing the respondents 1 to 3 from in any way interfering with the petitioner's possession and enjoyment of the land bearing old Survey No.747, Block 58 of Ward 1 and new Survey No.22/1, 2 and 3 of Block 21 of Ward J in Tiruchirapalli and superstructure available thereon except the notified portion of the land contained in Survey No.22/1-B measuring 11 Sq.ft and 22/2-B measuring 511 sq.ft, except by a due process of law.

For Petitioner .. Ms.A.Rita for M/s.Siraj and Siraj
For Respondents .. Mr.V.Jayaprakash Narayanan
Spl.Government Pleader

ORDER

When the matter was taken up for hearing, learned counsel for the petitioner submitted that as early as on 15.3.2004, the petitioner had filed a memo of withdrawal of the writ petition.

Despite this, the writ petition has been kept pending till date.

2. Mr.V.Jayaprakash Narayanan, learned Special Government Pleader submitted that the petitioner died.

3. In the memo of withdrawal dated 15.3.2004, it is stated as follows:

"The respondents in this case have already accepted the case of the petitioner and prepared a cheque also to pay the price and the petitioner has also accepted the said offer. As the main contentious issue has been solved, the petitioner does not want to proceed with the writ petition.

The petitioner therefore humbly prays that this Hon'ble Court may be pleased to pass an order permitting the petitioner to withdraw the writ petition and thus render justice."

4. In the light of the above, the Writ Petition is dismissed as withdrawn. No costs. Consequently, the connected Miscellaneous Petition is closed.

sd/
Assistant Registrar(CCC)

/true copy/

Sub Assistant Registrar

ajr

To

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 4. The Commissioner
Trichirapalli Municipality Corporation,
Trichy 620 001
- +1cc to the Government Pleader SR.No.4927

W.P.No.17695 of 2003

SSJ(CO)
GN(06/02/2017)