



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED **29.06.2017**
CORAM

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THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

WA (MD) No.847 of 2017
in
W.P. (MD) No.6732 of 2017

1.M.Chinna Devar
2.M.Nagadevar
3.M.Muthudevar
4.M.Periyakaruppan
5.M.Sakkaraiyan

... Appellants

Vs.

1. The Revenue Divisional Officer,
O/o. Revenue Divisional Office,
Theni District.
Theni.

2.R.Ganesh Babu
3.M.P.Palani Kumar
4.M.Ratha Krishnan
5.V.Ayyappasamy
6.A.G.Francis

... Respondents

PRAYER: Appeal filed under Clause 15 of Letters Patent Appeal, to set aside the order passed in W.P.(MD)No.6732 of 2017 dated 13.04.2017.

Prayer in WP(MD). 6732/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Mandamus directing the respondent No.1 to cancel the pattas granted in the names of Respondent No.2 to 6 by Theni Thasildar in Patta No.826 the land in survey No.195/3 & 196/2 is situated at Allinagaram Village, Theni District.

For Appellants : Mr.T.Lajapathi Roy

For Respondent No.1 : Mr.V.Muruganandham
Additional Government Pleader

**J U D G M E N T**

[Judgment of the Court was made by **T.S.SIVAGNANAM, J.**]

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Mr.V.Muruganantham, learned Additional Government Pleader accepts notice on behalf of the first respondent.

2. As the writ appeal is being disposed of at the admission stage itself, notice to the private respondents is dispensed with.

3. The learned counsel appearing for the appellants seeks permission of this Court to withdraw the writ appeal as well as the writ petition so as to enable the appellants / writ petitioners to pursue their remedy before the competent authority and the learned counsel has also made an endorsement to that effect.

4. The request made by the learned counsel for the appellants is not opposed by the learned Additional Government Pleader appearing for the first respondent.

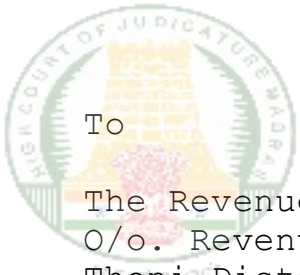
5. In view of the above submissions,

- (i) the order, dated 13.04.2017 in W.P.(MD) No.6732 of 2017 is hereby recalled and the said writ petition is restored to file.
- (ii) the writ appeal in W.A.(MD) No.847 of 2017 as well as the writ petition in W.P.(MD) No.6732 of 2017 are dismissed as withdrawn.
- (iii) In the light of the withdrawal of the writ appeal as well as the writ petition, any observation made by the Writ Court while dismissing the writ petition will not prejudice the rights of the appellants while preferring appeal or revision before the competent authority. No costs.

Sd/-
Assistant Registrar(CS-III)

/True copy/

Sub Assistant Registrar



To

The Revenue Divisional Officer,
O/o. Revenue Divisional Office,
Theni District.
Theni.

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+1 cc to Mr.T.Lajapathi Roy , Advocate in SR.No. 62936
+1 cc to Special Government Pleader in SR.No.62844

SM/KRK

AE/MR KKR/SAR3/21.07.2017/3P/4C

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