



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.03.2017

CORAM:

WEB COPY

THE HON'BLE Mr.JUSTICE **S.S.SUNDAR**

W.P. (MD) No.541 of 2017

U. Abina

... Petitioner

Vs.

1. The Principal Secretary to Government,
Revenue Department, Secretariat, Chennai - 09

2. The Commissioner of survey and settlement,
Survey House, Chepauk, Chennai - 05

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the first and second respondents i.e., the Principal Secretary to Government, Revenue Department, Chennai and the Commissioner of Survey and Settlement, Chennai to pass appropriate orders on the report sent by the commissioner of Survey and Settlement, Chennai in his letter Na.Ka.Ra.1/45739/11 (Ne.Aa) dated 29.09.2011 and the information given to the petitioner in L.dis.A1/4317/2012 dated 11.09.2012 of the Assistant Director of Survey and Land Records, Theni and in the light of G.O.(Perm)No.155, Labour and Employment Department, dated 10.12.2014, within a stipulated time frame that may be fixed by this Court.

For Petitioner : Mr.S.Visvalingam
For Respondents : Mr.V. Pandi,
Government Advocate

O R D E R

This writ petition has been filed seeking for issuance of Writ of Mandamus directing the respondents to pass appropriate orders on the report of the Commissioner of Survey and Settlement, Chennai, within a specific time frame that may be fixed by this Court.

2. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents.

3. It is brought to the notice of this court that the Secretary to the Government has already issued a letter vide proceedings dated 20.01.2017 indicating that the petitioner may be considered for compassionate appointment based on the clarification as on the date of the application dated 13.10. 2004.



4. Having regard to the facts and circumstances of the case, the proceedings of the Secretary to the Government is adverse to the petitioner and hence, the petitioner seeks permission to withdraw this writ petition with liberty to file a fresh Writ Petition for appropriate relief including the prayer to quash the proceedings of the Secretary to the Government dated 20/01/2017.

5. Accordingly, this writ petition is dismissed as withdrawn giving liberty to the petitioner to file a fresh writ petition. No costs.

Sd/-

Assistant Registrar (C.S-II)

/True copy/

Sub Assistant Registrar

To

1. The Principal Secretary to Government,
Revenue Department, Secretariat,
Chennai - 09.

2. The Commissioner of survey and settlement,
Survey House, Chepauk,
Chennai - 05.

+1. CC to M/S.S.VISVALINGAM, Advocate SR.No.14942
+1cc to Special Government Pleader, SR.No.15101

W.P.(MD) No. 541 of 2017

JM/SV MMS/23.03.2017/2P/5C