

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.01.2018

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

S.A.Nos.483 & 484 of 2015
and
C.M.P.Nos.15606 & 15607 of 2017
and M.P.No.1 of 2015

Chinnathkothukkarar @ Krishnasamy

.... Appellant
in both appeals/Plaintiff in OSA.205/08
5th Defendant in OS.634/07

Versus

1. Dhendapani
2. Dhatchinamurthi
3. Govindaraj
Varadharaj (Died)
4. Thathammal
5. Muthucchamy
6. The Village Administrative Officer,
Alaampalayam Village,
Udumalpet Taluk.
7. The Tahsildar,
Udumalpet Taluk.
8. The District Collector,
Tiruppur District.

.... Respondents in S.A.No.483/2015
Defendants 1 to 3, 5 to 9 in
OS.No.205/08

1. Dhendapani
2. Dhatchinamurthi
3. Govindaraj
Varadharaj (Died)
4. Thathammal
5. Muthucchamy

.... Respondents 1 to 5 in SA.484/15/
Plaintiffs 1 to 3, 5 & 6 Os.No.634/07

6. The Village Administrative Officer,
Alaampalayam Village,
Udumalpet Taluk.
7. The Block Development Officer,
Udumalpet,
Udumalpet Taluk.

8. The Tahsildar,
Udumalpet Taluk.

9. The District Collector,
Tiruppur District.

... Respondents 6 to 9
in S.A.No.484/2015/Defendant 1 to 4 in
OS.No.634/07

Prayer in both appeals: These Second Appeals are filed under Section 100 of C.P.C. praying to set aside the judgment and decree passed in A.S.Nos.12 & 11 of 2014 respectively, on the file of the Sub Court, Udumalpet, dated 28.11.2014 reversing the judgment and decree passed in O.S.No.205 of 2008 and O.S.No.634 of 2007 respectively, on the file of the District Munsif Court, Udumalpet, dated 19.03.2014.

For Appellant : Mr.S.Gunalan

For RR1 to 5 : Mr.R.Nalliyappan

For RR6 to 9 : Sd-No appearance
(in both appeals)

O R D E R

The learned counsel appearing for the appellant has made an endorsement as follows:

"The Second Appeal Nos.483 & 484 of 2015 may be dismissed as withdrawn with liberty to approach National Green Tribunal".

2. It is stated by the learned counsel for the appellant that the Lower Appellate Court had directed the plaintiff to approach the National Green Tribunal so far as the relief of permanent injunction is concerned in O.S.No.205 of 2008.

3. In view of the submission and endorsement made by the learned counsel for the appellant, the Second Appeals are dismissed as withdrawn. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS VIII)

//True copy//

Sub Assistant Registrar

rsi

To

1. The Sub Judge,
Udumalpet.
2. The District Munsif Judge,
Udumalpet.
- 3.The Village Administrative Officer,
Alarampalayam Village, Udumelpet Taluk.
- 4.The Tahsildar,
Udumalpet Taluk.
- 5.The District Collector,
Tiruppur District.
- 6.The Block Development Officer,
Udumelpet, Udumelpet Taluk,
- 7.The National Green Tribunal,
Chennai.
- 8.The Section Officer,
VR Section, High Court,
Madras.(2 Copies)
- 9.The District Collector,
Tiruppur.

+1cc to Mr.S.Gunalan, Advocate SR.No.3724

S.A.Nos.483 & 484 of 2015

BR(CO)
GN(19/01/2018)

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