

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 29.01.2018

CORAM

THE HONOURABLE MR. JUSTICE K.K. SASIDHARAN
AND
THE HONOURABLE MR. JUSTICE P. VELMURUGAN

Writ Appeal No.297 of 2016
and CMP Nos.4706 and 4707 of 2016

E. Sekar Appellant /Petitioner

vs

1. The Secretary,
Department of Revenue,
Government of Tamil Nadu,
Secretariat, St. Fort George,
Chennai.
2. The District Collector,
Collectorate,
Kancheepuram District.
3. The Project Officer,
SIPCOT, Siruseri,
Old Mahabalipuram Road,
Chennai - 603 103. Respondents/Respondents

Writ Appeal filed under Clause 15 of Letters Patent
against the order passed in W.P.No.23538 of 2014 dated
20.11.2015.

Prayer in WP.23538/14:Writ petition filed under Article 226 of
Constitution of India praying to issue Writ of Certiorarified
mandamus Calling for the records from the file of the 1st
respondent made in G.O.Ms.No.350 Revenue (LD5 (1) Department
dated 20.08.2014 and quash the same and further direct the 1st
and 2nd respondents to make necessary entries in local revenue
records pertaining to lands situate in S.F.No. 40/1 and 40/8
situate at 34, Egattoor Village, Kelambakkam Taluk presently
Tiruporur Taluk, Kancheepuram District in conformity with the
entris dated 10.02.1972 made in the Adangal and 1906 FMB of
Central Survey Office, Chepauk, Chennai, which had been
substantiated by the Assistant Settlement Officer, Settlement
Office, Thiruvannamalai Vide proceedings in Na.Ka.A5/6251/94
dated 27.09.1994.

For Appellant : Mr.V. Ayyadurai for
M/s.Vanathi Srinivasan

For R.1 & R.2 : Mr.A. Sri Jayanthi
Spl. Government Pleader

For R.3 : Ms.Sudharshana Sunder

JUDGMENT

(Judgment of the Court was delivered by
K.K. SASIDHARAN, J.,)

The learned counsel for the appellant made an endorsement, indicating that he is withdrawing the writ appeal, pursuant to the instructions given by the appellant, for the purpose of filing a Civil Suit before the appropriate Court. The learned counsel has made an endorsement to that effect.

2. The learned counsel seeks liberty to file a civil suit, taking into account the background facts, including the initiation of a civil suit earlier for injunction and the writ petition.

3. In view of the endorsement made by the learned counsel for the appellant, the writ appeal is dismissed as withdrawn with such liberty.

4. In case, a civil suit is filed within a period of thirty days from today, the same shall be entertained by the concerned Civil Court without rejecting it on the ground of limitation, in view of the earlier round of litigation, pending before this Court till today. No costs. Consequently, connected CMPs are closed.

Sd/-
Assistant Registrar (CCC)

//True copy//

Sub Assistant Registrar

sr

To

1. The Secretary,
Department of Revenue,
Government of Tamil Nadu,
Secretariat, St. Fort George,
Chennai.
2. The District Collector,
Collectorate,
Kancheepuram District.

+1cc to Mr.V.Ashok Kumar, Advocate SR.No.6329

+1cc to Mr.Sudharshana Sundar, Advocate SR.No.6172

Writ Appeal No.297/2016

AK(CO)
GN(31/01/2018)



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