

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.12.2018

CORAM :

THE HON'BLE MRS.V.K.TAHILRAMANI, CHIEF JUSTICE

AND

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P. No.32226 of 2018 and
W.M.P.Nos.37475 & 37476 of 2018

Venkateswara Electrical Industries Pvt. Ltd.,
rep by its Managing Director,
A.Sivasubramani,
No.75, Kundrathur Road, Porur,
Chennai - 600 116. ... Petitioner

Vs.

The Junior Engineer,
PWD, Adyar Irrigation Division,
St. Thomas Mount,
Chennai - 600 016. ... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of certiorari calling for the records in the impugned notice dated 17.11.2018 issued by the respondent in Form - III and quash the same.

For Petitioner : Mr.G.Masilamani, Senior Counsel
for Mr.D.Prabhu Mukunth

For Respondent : Mr.S.Kamalesh Kannan,
Government Advocate

O R D E R

(Order of the Court made by M.DURAI SWAMY, J.)

The petitioner has filed the above Writ Petition to issue a Writ of certiorari calling for the records in the impugned notice dated 17.11.2018 issued by the respondent in Form - III and quash the same.

2.The respondent has filed a counter wherein he has stated that the Survey Number of the encroached land has been wrongly mentioned as Survey No.357/4 instead of Survey No.359/11 and therefore, the respondent is withdrawing the impugned notice

dated 17.11.2018 and liberty may be given to him to initiate proceedings in accordance with law.

3.In view of the averments stated in the counter filed by the respondent, since the respondent is withdrawing the impugned notice dated 17.11.2018, we give liberty to the respondent to initiate proceedings for evicting the encroachers following due process of law.

4.With these observations, the Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

The Junior Engineer,
PWD, Adyar Irrigation Division,
St. Thomas Mount,
Chennai - 600 016.

+1cc to Mr.D.Prabhu Mukunth, Advocate Sr.84281
+1cc to the Government Pleader Sr.84409

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