



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 31.01.2018
CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN
and
THE HONOURABLE MRS.JUSTICE R.HEMALATHA

W.P(MD)No.1826 of 2018
and
W.M.P(MD)No.1948 of 2018

Nethaji

.. Petitioner

Vs.

1. The District Collector,
Sivagangai District,
Sivagangai.
2. The Revenue Divisional Officer,
Sivagangai Revenue Division,
Sivagangai.
3. The Tahsildar,
Manamadurai Taluk,
Sivagangai District.
4. The Block Development Officer (Village Panchayats),
Sivagangai Block Development Office,
Sivagangai.
5. The Executive Engineer,
Surukaniyaru Vadinilakkottam,
Public Works Department,
Sivagangai.

6. Elango

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent to issue necessary direction to the third respondent to conduct fresh auction for removal of the Juliflora trees found in the Malavarayanenthall Tank bearing Survey Nos.96 and 89/2 within the Taluk Limit of Manamadurai, Sivagangai District, based on the petitioner's representation, dated 08.01.2018, made to the first respondent.

For Petitioner
For R-1 to R-3 & R-5
For R-4

: Mr.K.Kannan
: Mr.C.M.Mari Chelliah Prabhu,
Additional Government Pleader
: Mr.C.Ramar

**ORDER**

[Order of the Court was made by **M.SATHYANARAYANAN, J.**]

The petitioner in his representation, dated 08.01.2018, would state that he is eking his livelihood by cutting and selling Prosopis Juliflora (Seemai Karuvelam trees) and whereas, in paragraph No.3 of the affidavit filed in support of the writ petition, he would state that he is doing the agricultural works on coolie basis and in the considered opinion of this Court, the same is quite contradictory to his representation, dated 08.01.2018.

2.The learned counsel appearing for the petitioner seeks permission of this Court to withdraw this writ petition, with a liberty to file a fresh writ petition after making correct and necessary averments, on the same cause of action and also made an endorsement to that effect.

3. Mr.C.M.Mari Chelliah Prabhu, learned Additional Government pleader appearing for the respondents 1 to 3 and 5 would submit that in W.P(MD)No.2308 of 2017 also, a similar prayer has been made.

4. In the light of the endorsement so made, this Writ Petition is dismissed as withdrawn and the liberty sought for by the petitioner, is granted. No costs. Consequently, connected Miscellaneous Petition is dismissed.

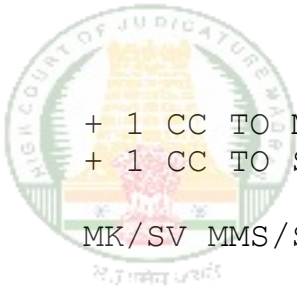
Sd/-
Assistant Registrar (co)

/True copy/

Sub Assistant Registrar

To

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The Revenue Divisional Officer,
Sivagangai Revenue Division,
Sivagangai.
- 3.The Tahsildar,
Manamadurai Taluk,
Sivagangai District.
- 4.The Executive Engineer,
Surukaniyaru Vadinilakkottam,
Public Works Department,
Sivagangai.



+ 1 CC TO MR.K.Kannan, ADVOCATE IN SR No.45368
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No.45568

MK/SV MMS/SAR-1/08.02.2018/3P/7C

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ORDER MADE IN
W.P(MD)No.1826 of 2018
and
W.M.P(MD)No.1948 of 2018
31.01.2018