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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 08.01.2018

CORAM:

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

W.P (MD) No.2577 of 2016
and
W.M.P. (MD) No.2281 of 2016

A.Azhagan ... Petitioner
Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The Chief Engineer,
Public Works Department,
St.George Fort,
Chennai-600 009.

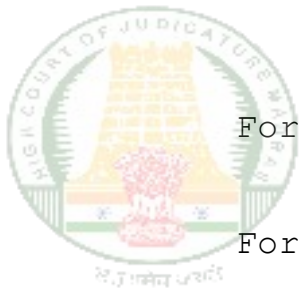
3.The Executive Engineer,
Public Works Department,
Dindigul District.

4.The Tahsildar,
Natham Taluk,
Dindigul District.

5.The Superintending Engineer,
Tamil Nadu Generation and
Distribution Corporation Ltd.,
Madurai, Madurai District.

6.The Executive Engineer,
Tamil Nadu Generation and
Distribution Corporation Ltd.,
Madurai, Madurai District. ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents 1 to 6 to restore the Mayazhagan Tank in Survey No.391 at Mayazhagan Tank, Lingavadi Village, Natham Taluk, Dindigul District to its original position or in the alternative to preserve the remaining portion of the existing tank within the time frame as fixed by this Court.



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For Petitioner

: Mr.Fazil
for Mr.T.Lajapathi Roy

For Respondents

: Mr.M.Murugan,
Government Advocate
for R.1 to R.4
: Mr.S.M.S.Johny Basha
for R.5 and R.6

ORDER

(Order of the Court was made by M.SATHYANARAYANAN,J.)

The matter was listed on 04.01.2018 and this Court, after hearing the learned Counsel appearing for the petitioner and on going through the averments recorded that

"it appears that the petitioner has taken a quite contradictory stand of course to suit his convenience. This Court is of the view that the petitioner has deliberately suppressed the material facts and tried to obtain orders. This Court is also of the considered view that there is no public interest involved in this writ petition."

2. The learned Counsel appearing for the petitioner, on instructions, would submit that since a sub-station is already located in that place, nothing survives for further adjudication in this writ petition and seeks leave of this Court to withdraw this writ petition and he has also made an endorsement to that effect.

3. In the light of the endorsement made, the Writ Petition is dismissed as withdrawn and no liberty is granted to the petitioner to make a challenge for the establishment of the sub-station. No costs. Consequently, the connected Miscellaneous Petition is also dismissed.

Sd/-
Assistant Registrar(CS-I)

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
Dindigul District, Dindigul.

2.The Chief Engineer,
Public Works Department,
St.George Fort,Chennai-600 009.



3.The Executive Engineer,
Public Works Department,
Dindigul District.

4.The Tahsildar,
Natham Taluk, Dindigul District.

5.The Superintending Engineer,
Tamil Nadu Generation and
Distribution Corporation Ltd.,
Madurai, Madurai District.

6.The Executive Engineer,
Tamil Nadu Generation and
Distribution Corporation Ltd.,
Madurai, Madurai District.

+1cc to M/S.Special Government Pleader,SR. 41458

W.P (MD) No.2577 of 2016
08.01.2018

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