

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2019

CORAM:

THE HON'BLE MR.JUSTICE S.MANIKUMAR
AND
THE HON'BLE MR.JUSTICE SUBRAMONIUM PRASAD

WP.No.1047 of 2019
and
WMP.Nos.1171 & 1174 of 2019

M.Sundaravel Petitioner

vs.

1. The Secretary to Government,
Revenue Department,
Government of Tamil Nadu,
Fort St. George,
Chennai - 600 009.
2. The Commissioner of Land Administration,
Chepauk, Chennai - 600 005.
3. The District Collector,
Villupuram District.
4. The Superintendent of Police,
Villupuram District.
5. The Deputy Superintendent of Police,
kottakupam Range.
6. The District Revenue Officer,
Villupuram District.
7. The Revenue Divisional Officer,
Villupuram,
Villupuram District.
8. The Tahsildar,
Vanur Taluk,
Villupuram District.

9. Special Officer,
Bommayarpalayam Village,
Vanur Taluk,
Villupuram District.

... Respondents

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 3 herein to cancel the recent Patta No.17 illegally issued in the name of 11th respondent by incompetent authority without following the due procedure established by law, in respect of the government poramboke lands classified as "Anaadheenam" during Settlement Proceedings in 1950s and consequently direct the respondents 1 to 3 herein to restore the government poramboke lands classified as "Anaadheenam" in favour of government with necessary mutations in the revenue records of 3rd respondent's office on the basis of the petitioner's representation dated 24.12.2018.

For Petitioner : Mr.T.Dharani

For Respondents: Mr.E.Manoharan (for R1 to R8)
Additional Government Pleader
Ms.Thangavadhana Balakrishnan
(for R10)
Additional Government Pleader

ORDER

(Order of the Court was made by S.MANIKUMAR, J)

On 11.01.2019, a Hon'ble Division Bench of this Court passed the following order.

"A perusal of the affidavit filed in support of this writ petition would prima facie disclose that the petitioner is not having any public interest and admittedly he is a native of Puducherry and the contents of paragraph Nos.2 and 3 of the affidavit would disclose that he has no real or personal interest in the alleged subject matter and the details of social service or public interest activity carried on by him have also not been disclosed and that apart, the affidavit filed in support of the writ petition as well as the materials are also bereft of any material particulars as to the consideration of the relief sought for by the petitioner.

2. At this juncture, the learned counsel for the petitioner undertakes to file additional authenticated documents with supporting affidavit.

Call on 11.02.2019.

2. Subsequently on 12.02.2019, the said view is reiterated as hereunder.

"Though, on 11.1.2019, the learned counsel for the petitioner undertook to file additional authenticated documents with supporting affidavit justifying the prayer sought for, excepting production of an application dated 19.1.2019 submitted under the Right to Information Act, 2005 to the Public Information Officer, District Collectorate, Villupuram District, no document has been filed.

2. GOs referred to in the supporting affidavit are not filed. Except copies of 'A' Register, FMB and patta, there are no other documents filed.

Post the matter on 26.2.2019."

3. On this day, when the matter came up for further hearing, no supporting affidavit or copies of the documents stated supra, have been filed. Learned counsel for the petitioner seeks permission to withdraw the writ petition, with liberty to file a fresh writ petition on the same cause of action with necessary averments and supporting documents. He has also made an endorsement to that effect.

4. Placing on record the above, instant writ petition is dismissed as withdrawn. Liberty as prayed for, is granted. No costs. Consequently, the connected writ miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

ars
To

1. The Secretary to Government,
Revenue Department,
Government of Tamil Nadu,
Fort St. George,
Chennai - 600 009.

2. The Commissioner of Land Administration,
Chepauk, Chennai - 600 005.

3. The District Collector,
Villupuram District.

4. The Superintendent of Police,
Villupuram District.

5. The Deputy Superintendent of Police,
kottakuppam Range.

6. The District Revenue Officer,
Villupuram District.

7. The Revenue Divisional Officer,
Villupuram,
Villupuram District.

8. The Tahsildar,
Vanur Taluk,
Villupuram District.

9. Special Officer,
Bommayarpalayam Village,
Vanur Taluk,
Villupuram District.

10. The District Forest Officer,
Villupuram District,
Villupuram.

+1cc to the Special Government Pleader Sr.17768
+1cc to the Government Pleader Sr.18178

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vsn II[co]
srg 26/03/2019

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