

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.03.2019

CORAM :

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

AND

THE HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.NO.30951 OF 2018

M.Balasubramani

.. Petitioner

-vs-

1. The Government of Tamilnadu,
rep. by its Secretary,
Public Works Department,
Fort St. George, Chennai - 600 009.
2. The Superintending Engineer,
Public Works Department,
Water Resources Organization,
Upper Cauvery Basin Scheme,
Salem - 7.
3. The District Collector,
Namakkal District, Namakkal.
4. The District Revenue Officer,
Tiruchengode, Namakkal District.
5. The Tahsildar,
Tiruchengode, Namakkal District.
6. The Executive Engineer,
(Operation and Maintenance)
Mettur Electricity Distribution Circle,
Tiruchengode,
Namakkal District.
7. Kuppirikkapalayam Small Farmers Lift
Irrigation Society,
rep. by its President,
2/272, Molasi - 637 210,
Tiruchengode Taluk,
Namakkal District.

8. Rakkiyavalasu Small Farmers Lift

Irrigation Society,
rep. by its President,
2/274, Molasi - 637 210,
Tiruchengode Taluk,
Namakkal District.

9. Devampalayam Small Farmers Lift

Irrigation Society,
rep. by its President,
2/59-B, Padugaikadu Thottam,
Molasi - 637 210,
Tiruchengode Taluk,
Namakkal District.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents 1 to 6 to remove the offending constructions and encroachments made in S.F.No.346 of the River Cauvery and S.F.No.292 of Kodi Vaikkal, Molasi Village, Tiruchengode Taluk compliance with the Circular No.T1/23155/2005 dated 19.07.2005 issued in line with the judgment in L.Krishnan case [2005 (4) CTC 1 (DB)] by considering the petitioner's representation dated 25.06.2018.

For Petitioner : Mr.N.Manokaran

For Respondents : Mr.V.Jayaprakash Narayanan
Government Pleader (i/c)
respondent Nos.1 to 5

Mr.S.K.Rameshwar
for respondent No.6

Mr.E.P.Senniyangiri
for respondent Nos.7 to 9

ORDER

The learned counsel for the petitioner seeks leave of this Court to withdraw the writ petition with liberty to challenge G.O.(Ms) No.62, Public Works (No.1) Department, dated 18.02.2010. The learned counsel has also made an endorsement to the said effect.

2. In view of the above, the writ petition is allowed to be withdrawn as prayed for.

3. The writ petition is, accordingly, dismissed as withdrawn. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary,
Public Works Department,
Fort St. George, Chennai - 600 009.
2. The Superintending Engineer,
Public Works Department,
Water Resources Organization,
Upper Cauvery Basin Scheme,
Salem - 7.
3. The District Collector,
Namakkal District, Namakkal.
4. The District Revenue Officer,
Tiruchengode, Namakkal District.
5. The Tahsildar,
Tiruchengode, Namakkal District.
6. The Executive Engineer,
(Operation and Maintenance)
Mettur Electricity Distribution Circle,
Tiruchengode, Namakkal District.

+1cc to Mr.E.P.Senniyangiri, Advocate, S.R.No.28877
+1cc to Mr.N.Manokaran, Advocate, S.R.No.28727
+1cc to the Government Pleader, S.R.No.29111

W.P.No.30951 of 2018

AK(CO)
CS/22/04/2019