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BEFORE THE MADURAI BENCH OF THE MADRAS HIGH COURT

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DATE : 16.07.2019

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN
AND

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P. (MD) NO. 15293 OF 2019

1. P.Pairangakalliappan
2. P.Seenimalai Gounder

.. Petitioners

- Vs -

1. State rep. by
The District Collector
Dindigul District, Dindigul.
2. State, rep. by
The District Revenue Officer
Office of the District Revenue Officer
Dindigul.
3. State rep. by
The Revenue Divisional Officer/
Sub Collector, Palani
Dindigul District.
4. The Tahsildar
Oddanchatram Taluk, Dindigul Dt.

5. Karuppusamy

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of mandamus directing respondents 1 to 4 to remove the encroachment in the Odai Poramboke in S. Nos.349 and S. No.348 by the 5th respondent and enabling the public to use the same without any hindrance within the time frame fixed by this Hon'ble Court.



For Petitioner : Mr. R.Senthil Kumar

For Respondents : Mr. J.Gunaseelan Muthiah,
AGP for RR-1 to 4

ORDER

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

The writ petition was entertained on 8.7.19 by taking into consideration the allegation levelled by the petitioners that survey Nos.348 and 349 of Kariyampatti Village, Dindigul District, which has been classified as water course/body, had been encroached.

2. Learned Addl. Government Pleader brought to the notice of this Court the communication of the 4th respondent dated 5.4.19 in Na.Ka. No.1252/2019/E3 wherein it is seen that after causing inspection, the firka surveyor has sent a report stating that in the said survey numbers, there are no encroachments. A perusal of the file submitted by the learned Addl. Government Pleader appearing for the official respondents reveal the said fact and it has also been addressed to the 1st petitioner.

3. At this juncture, learned counsel appearing for the petitioners seek the permission of this Court to withdraw this writ petition with liberty to the petitioners to challenge the communication of the 4th respondent in accordance with law before the competent forum and also made an endorsement to the said effect.

4. In the light of the said endorsement, recording the same, this writ petition is dismissed as withdrawn granting the liberty as sought for by the petitioners.

Sd/-

Assistant Registrar(P&A)

/TRUE COPY/

Sub Assistant Registrar

To

1. The District Collector
Dindigul District, Dindigul.
2. The District Revenue Officer
Office of the District Revenue Officer
Dindigul.
3. The Revenue Divisional Officer/
<https://hcservices.ecourts.gov.in/hcservices/>
Sub Collector, Palani, Dindigul District.



4. The Tahsildar
Oddanchatram Taluk, Dindigul District.

+1 CC to M/s.SPL GP (SR-75761[F] dated 17/07/2019)

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+1 CC to M/s.R.SENTHILKUMAR, Advocate (SR-75861[F] dated 17/07/2019)

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