



WEB COPY

W.P.(MD)No.19351 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.09.2019**

CORAM:

THE HONOURABLE **MR. JUSTICE M. SUNDAR**

W.P. (MD)No.19351 of 2019

and

W.M.P. (MD)No.15781 of 2019

A.P.Suruli

... Petitioner

/Vs./

- 1.The District Collector,
Theni District.
- 2.The Sub Collector / R.D.O.,
Uthamapalayam Taluk, Theni District.
- 3.The Divisional Engineer,
Highways (Construction and Maintenance),
Theni District.
- 4.The Superintending Engineer,
Public Works Department, Theni District.
- 5.The Tahsildar,
Uthamapalayam Taluk, Theni District.
- 6.The Commissioner,
Chinnamanur Municipality, Theni District.
- 7.Vijaya Rajan, President,
Theni District, Uthamapalayam Taluk,
Karunkattankulam Nanjai Pattadhar,
Vivasayigal Nala Sangam,
Uthamapalayam - 625533.

... Respondents

PRAYER:- Writ Petition - filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, forbearing the respondents 1 to 6 from in anyway interfere with the carrying of water from the petitioner's bore well situated in Old S.No.1292/2B and New S.No.24/5 in Chinnamanur Melakkal Village to his land in S.No.153/1 and 166/3 in Erasakkanayakanur Village, through the pipe line as permitted by the 3rd respondent for agricultural and farming purpose on the complaint of the 7th respondent, except under the due process of law.

For Petitioner : Mr.R.Suriya Narayanan

For R-1 to R-6 : Mr.M.Pandiarajan
Additional Government Pleader



ORDER

Mr.R.Suriya Narayanan, learned counsel on behalf of the writ petitioner and Mr.M.Pandiarajan, learned Additional Government Pleader, who accepts notice on behalf of the respondents 1 to 6 are before this Court.

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2. After some arguments, it emerged that the prayer itself is predicated on a permission said to have been granted by the 3rd respondent. No such permission has been annexed to the typed set of papers.

3. Faced with the above situation, learned counsel sought permission to withdraw this writ petition and also requested that liberty may be granted to the writ petitioner to file a fresh writ petition, if there is permission of the third respondent and if the same is available.

4. Permitted to withdraw. Instant Writ Petition is dismissed as withdrawn granting liberty to the writ petitioner to file a fresh writ petition, if the permission of the 3rd respondent is available. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The District Collector, Theni District.
- 2.The Sub Collector / R.D.O.,Uthamapalayam Taluk, Theni District.
- 3.The Divisional Engineer,
Highways (Construction and Maintenance), Theni District.
- 4.The Superintending Engineer,
Public Works Department, Theni District.
- 5.The Tahsildar, Uthamapalayam Taluk, Theni District.
- 6.The Commissioner, Chinnamanur Municipality, Theni District.

+1CC to SPL.G.P. SR.No. 85879.

+1CC TO Mr.R.Suriyanarayanan, ADVOCATE IN SR No.85726.

**Order made in
W.P. (MD)No.19351 of 2019**

**Dated:
06.09.2019**

CS(19.09.2019) 2P 9C