



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **26.11.2019**

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE R.THARANI

W.P(MD)No.17417 of 2018

and

W.M.P. (MD)Nos.15317, 15318, 18287 and 22145 of 2018

V.Anand

.. Petitioner

Vs.

1.The District Surveyor,
Nagercoil, Kanyakumari District.

2.The Authorised Officer,
Indian Overseas Bank,
Marthandam Branch, PLPM Complex,
Main Road, Marthandam-629 165,
Kanyakumari District.

3.The Branch Manager,
Indian Overseas Bank,
Marthandam Branch, PLPM Complex, Main Road,
Marthandam-629 165, Kanyakumari District.

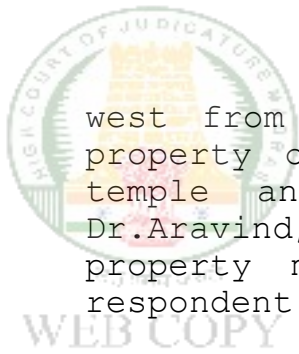
4.M/s.Vijayan Brothers,
C/o.Anand Theater, Main Road, Marthandam-629 165,
Kanyakumari District.

5.A.Selvaraj,
Partner, M/s.Vijayan Brothers, Ayirumvilai Veedu,
Nalloor, Marthandam-629 165, Kanyakumari District.

6.A.Vijayan,
Partner, M/s.Vijayan Brothers, 5/3, Kalluventtankuzhi Bungalow,
Nalloor, Marthandam-629 165, Kanyakumari District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to forbear the second and third respondents from auctioning or taking possession of the petitioner's property to an extent of 98.500 cents on the northern side in R.S.No.208/5, Old Survey No.1628 A,B,C, D in Nalloor Village, Vilavancodu Taluk, Marthandam bounded on the West of property in R.S.No.D12/21 and 4 meter wide road runs by south-



west from Marthandam - Karungal road Gandhi Maidhanam, North of property of A.Selvaraj, East of the Road leading to Kotheswaram temple and Tower Hotel, South of 49.500 cents property of Dr.Aravind, without conducting survey by the respondent No.1 for the property mortgaged by the respondents 4 to 6 with the third respondent and identifying the property.

For Petitioner : Mr.T.Lajapathi Roy

For R1 : Mr.A.K.Baskara Pandian
Special Government Pleader

For R3 : Mr.Pala Ramasamy

For R5 : Mr.J.Shabu Jose
for M/s.Isaac Chambers

ORDER

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

The learned counsel appearing for the writ petitioner has circulated a letter, dated 22.11.2019 seeking permission of this Court to withdraw this writ petition. Accordingly, the matter appeared today under the caption "for withdrawal" and he has also made an endorsement to that effect.

2. In view of the above, this writ petition is dismissed as withdrawn. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

To

The District Surveyor,
Nagercoil,
Kanyakumari District.

+1 CC to M/s.T. LAJAPATHI ROY, Advocate (SR-101635[F] 27/11/2019)
+1 CC to M/s.ISAAC CHAMBERS, Advocate (SR-101808[F] 27/11/2019)
+1 CC to M/s.Special Govt.Pleader (SR-102421[F] dated 28/11/2019)

ORDER MADE IN

W.P (MD) No.17417 of 2018

26.11.2019

ta

SDS (16.12.2019) 2P 5C

<https://hcservices.ecourts.gov.in/hcservices/>