

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.12.2020

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN
AND
THE HONOURABLE MRS. JUSTICE R.HEMALATHA

WP.No.17460/2020 & WMP.No.21649/2020

Ganamoorthy

..Petitioner

Versus

1.The District Collector
Salem District, Saslem 636001.

2.The Tahsildar
Mettur Taluk, Mettur
Salem District 636 401.

3.The Revenue Inspector
Mettur Taluk, Mettur 636401.

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorari calling for the records on the file of the 2nd respondent in Notice No.4403/2020 under section 6 of the Tamil Nadu Land Encroachment Act 1905 dated on 29.10.2020 and quash the same.

For Petitioner : Mr.S.Packiaraj

For RR 1 to 3 : Mr.M.Elumalai
Additional Government Pleader

ORDER

[Order of the Court was made by M.SATHYANARAYANAN, J.]

(1)After some arguments, the learned counsel for the petitioner seeks permission of this Court to withdraw this writ petition with a liberty to avail the alternative remedy under Section 10 read with 10-B of the Tamil Nadu Land Encroachment Act, 1905 before the 1st respondent and also undertakes to send an endorsement through E-Mail to the Registry of this Court.

(2)The Court the submissions of Mr.M.Elumalai, learned Additional Government Pleader accepting notice on behalf of respondents 1 to 3 also.

(3)In the light of the same, the petitioner is granted liberty to file a statutory appeal before the 1st respondent by enclosing necessary and authenticated documents within a period of two weeks from the date of receipt of a copy of this order / uploading of the order copy in the website and upon receipt of the same, the 1st respondent or the delegated Appellate Authority shall take up the petition for stay at the first instance and give a disposal to the same in accordance with law within a further period of two weeks thereafter and it is also open to the Appellate Authority to dispose of the main appeal itself as expeditiously as possible.

(4)The writ petition stands dismissed as withdrawn subject to the above observation. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

AP

To

1.The District Collector
Salem District, Saslem 636001.

2.The Tahsildar
Mettur Taluk, Mettur
Salem District 636 401.

3.The Revenue Inspector
Mettur Taluk, Mettur 636401.

+1 cc to Government Pleader Sr.No.40104.

WP.No.17460/2020

PVS (CO)
NS (28/12/2020)
KKV/22/02/2021