

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.11.2020

CORAM

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

WP.No.16528/2020 & WMP.No.20508/2020

Bathiri @ Bathiriammal @ Badrammal ..Petitioner

Versus

1. The District Collector
Coimbatore District
Coimbatore.

2. The Tahsildar
Taluk Office
Mettupalayam Taluk
Coimbatore District.

3. The Revenue Inspector
Mettupalayam Taluk
Coimbatore District.

..Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorarified mandamus calling for the records pertaining to the impugned notice issued by the 3rd respondent dated 21.10.2020 and quash the same and consequently direct the respondents not to interfere with the peaceful possession and enjoyment of the petitioner of the schedule mentioned property.

For Petitioner: Mr.G.Karthikeyan

For Respondents: Mr.M.Elumalai
Additional Government Pleader

ORDER

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

(1)The matter in issue pertains to initiation of action by the 3rd respondent under Section 5 of the Tamil Nadu Land Encroachment Act, 1095.

(2)The learned counsel for the petitioner, after some arguments, seeks the permission of this Court to withdraw this writ

petition, with a liberty to avail the alternative remedy available under Sections 10 and 10-B of the Tamil Nadu Land Encroachment Act, 1905, before the 1st respondent / Appellate Authority and also undertakes to send an E-Mail to the Registry of this Court to that effect.

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

(4) In the light of the same, this writ petition is dismissed as withdrawn and the liberty sought for by the petitioner, is granted. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The District Collector
Coimbatore District
Coimbatore.
2. The Tahsildar
Taluk Office
Mettupalayam Taluk
Coimbatore District.
3. The Revenue Inspector
Mettupalayam Taluk
Coimbatore District.

+lcc to M/s.G.Karthikeyan, Advocate, S.R.No.37722

+lcc to the Government Pleader, S.R.No.38239

सत्यमेव जयते

WP.No.16528 OF 2020

KV(CO)
RV(18/12/2020)

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