

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.01.2020

CORAM

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P. Nos. 20895, 20897, 20899 and 20900 of 2019
and

W.M.P. Nos. 20099, 20100, 20102 and 20103 of 2019

C. Gajendran ... Petitioner in W.P. No. 20895 of 2019
C. Chandran ... Petitioner in W.P. No. 20897 of 2019
Bharathi ... Petitioner in W.P. No. 20899 of 2019
Valarmathi ... Petitioner in W.P. No. 20900 of 2019

Vs.

1. The District Collector,
Salem District,
Salem.
2. The Assistant Director of Rural Development,
Salem.
3. The Tahsildar,
Mettur Taluk,
Mettur,
Salem District.
4. The Block Development Officer,
Block Development Office,
Mecherry Post,
Mettur Taluk,
Salem District.
5. The Inspector of Police,
Mecherry Police Station,
Mettur Taluk,
Salem District.

6. Ganesan
7. Archunan
8. Settu @ Subash

9. Murugesan

10. Kalaimani

11. Anbazhagan

12. Krishnan

13. Saravanan

14. Sundaram

15. Logu

16. Selvam

17. Ramesh ... Respondents in all W.Ps.
(R6 to R17 are impleaded as per order
dated 20.11.2019 W.M.P. 29325, 29327, 29329,
29330/2019 in W.P.20895, 20897, 20899, 20900/2019)

Prayer in W.P. No. 20895 of 2019:-Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, restraining the Respondents from interfering with the peaceful possession and enjoyment of the Petitioner and laying any mud or that road in 18 cents of patta land belongs to the Petitioner at Amani Olaippatti Village in Survey Number 126/2 and further direct the Fourth Respondent to restore the original physical features of the Petitioner's patta land till the disposal of the Civil Suit in O.S.No.106 of 2018 pending on the file of the Learned District Munsif at Mettur Dam-1.

Prayer in W.P. No. 20897 of 2019:-Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, restraining the Respondents from interfering with the Petitioner's peaceful possession and enjoyment and laying any mud or that road in 22 and ½ cents of patta land belongs to the Petitioner at Amani Olaippatti Village in Survey Number 126/2 and further direct the Fourth Respondent to restore the original physical features of the Petitioner's patta land till the disposal of the Civil Suit in O.S.No.106 of 2018 pending on the file of the Learned District Munsif at Mettur Dam-1.

Prayer in W.P. No. 20899 of 2019:-Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, restraining the Respondents from interfering with the peaceful possession and enjoyment of the Petitioner and laying any mud or that road in 1320 Sq.ft (5 and ½ cents) of patta land belongs to the Petitioner at Amani Olaippatti Village in Survey

Number 126/2 and further directed the Fourth Respondent to restore the original physical features of the Petitioner's patta land till the disposal of the Civil Suit in O.S.No.106 of 2018 pending on the file of the Learned District Munsif at Mettur Dam-1.

Prayer in W.P. No. 20900 of 2019:- Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, restraining the Respondents from interfering with the peaceful possession and enjoyment of the Petitioner and laying any mud or that road in 9 and ½ cents of patta land belongs to the Petitioner at Amani Olaippatti Village in Survey Number 126/2 and further directed the Fourth Respondent to restore the original physical features of the Petitioner's patta land till the disposal of the Civil Suit in O.S.No.106 of 2018 pending on the file of the Learned District Munsif at Mettur Dam-1.

For Petitioner in all W.Ps. : M/s. S. T. P. Kuilmozhi

For Respondents in all W.Ps. : Mr. R. venkatesh,
Government Advocate
(For R1 to R3 and R5)
: Mr. J. Purushothaman,
Government Advocate
(for R4)

C O M M O N O R D E R

When it is pointed out that the Petitioners could make an application in the suit in O.S. No. 106 of 2018 on the file of the District Munsif Court at Mettur Dam for the relief that has been sought in the Writ Petition, Learned Counsel for the Petitioner seeks permission of this court to withdraw these Writ Petitions with liberty to resort to the same and she has also made an endorsement to that effect, which is recorded.

2. Accordingly, these Writ Petitions are dismissed as withdrawn granting such with liberty. Consequently, connected Miscellaneous Petitions are closed. No costs.

s/d-
Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

To

1. The District Collector,
Salem District, Salem.
2. The Assistant Director of Rural Development,
Salem.
3. The Tahsildar, Mettur Taluk,
Mettur, Salem District.
4. The Block Development Officer,
Block Development Office, Mecherry Post,
Mettur Taluk, Salem District.
5. The Inspector of Police,
Mecherry Police Station,
Mettur Taluk, Salem District.

+1 CC to Ms.S.T.P. Kuilmozhi, Advocate sr 389.
+1 CC to Govt. Pleader sr 1009.

W.P. Nos. 20895, 20897, 20899 and 20900 of 2019

JP(CO)
SP(13/02/2020)



WEB COPY