



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.01.2020

CORAM

THE HONOURABLE MR.JUSTICE M.DURAISWAMY

AND

THE HONOURABLE MR.JUSTICE T.RAVINDRAN

W.A(MD)No.20 of 2020

and

C.M.P(MD)No.250 of 2020

WEB COPY

The Territory Manager,
Bharat Petroleum Corporation Ltd.,
Retail Territory Office,
37, Thiruppparankundram Road,
Madurai-625 004.

... Appellant/4th Respondent

Vs.

1.G.Manimekalai

2.G.Das Prakash

3.G.Bhuvaneshwari

... Respondents /Petitioners

4.The Chief Controller of explosives,
Petroleum and Explosives and Safety Organization,
'A' Block, 5th Floor,
CGO Complex, Seminary Hills,
Nagpur-440 006.

5.The Joint Chief Controller of Explosives,
Petroleum and Explosives and Safety Organisation,
A&D Wing, Block 1-B, IInd Floor, Shastri Bhavan,
No.26, Haddows Road, Nungambakkam,
Chennai-600 006.

6.The District Revenue Officer(DRO),
Dindigul Collectorate, Dindigul District.

7.P.Jayabharathi

... Respondents/Respondents 1 to 3 & 5

Prayer : Appeal filed under Clause 15 of the Letters Patent,
against the interim order dated 19.12.2019 passed in W.P(MD)
No.4294 of 2018.

Prayer in WP(MD). 4294/ 2018 :

Writ Petition is filed under Article 226 of the
Constitution of India, praying this Court To issue a Writ of
Mandamus directing the respondents 4 and 5 to vacate and handover
the property in S.No.13/1N, A.Vellodu village, Dindigul Taluk to
the respondents 1 to 3 after removing the petro, pump and its accessories



in respect of property in S.No.13/1N, A.Vellodu Village, Dindigul Taluk and further directing them to jointly or severally pay a sum of Rs.75,000/- per month to the petitioners as damages for use and occupation of the property from 01/01/2017 till the properties hand over.

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For Appellant : Mr.S.Nateshtraja
For Respondents : Mr.S.Jeyasingh
for R.4 and R.5 : Mr.V.R.Shanmuganathan
Special Government Pleader
for R.6

JUDGMENT

[Judgment of the Court was delivered by **M.DURAI SWAMY, J.**]

The learned Counsel appearing for the appellant seeks permission to withdraw the writ appeal with liberty to file a review application before the learned Single Judge and also made an endorsement to that effect.

2. In view of the same, the Writ Appeal is dismissed as withdrawn. It is open to the appellant to file a review petition in W.P.(MD)No.4294 of 2018 before the learned Single Judge. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition is also dismissed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To
The District Revenue Officer(DRO),
Dindigul Collectorate, Dindigul District.

+1 CC to Mr.S.JEYASINGH, Advocate (SR-1039[F] dated 09/01/2020)

+1 CC to Mr.S.NATESHRAAJA, Advocate (SR-1100[F] dated
09/01/2020)

W.A(MD)No.20 of 2020
09.01.2020