

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.01.2021

C O R A M

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.32296 of 2012

&

M.P.No.1 of 2012

M.E.Munusamy

... Petitioner

Vs.

1.The District Collector,
Kancheepuram District,
Kancheepuram.

2.The Revenue Divisional Officer,
Chengalpet.

3.The Tahsildar,
Thirukazhukundram,
Kancheepuram District.

4.The Executive Engineer PWD,
Chepauk,
Chennai - 600 005.

5.V.Selvasekar @ Kittu

6.Yesupatham @ Babu

7.Anthonisamy @ Nagappan

8.E.Salamon

9.Prakash

10.J.Kannadasan @ Doss

11.P.Ramalingam

12.V.Jeganathan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents 1 to 4 not to damage or alter the existing cart

track situated on the Northern strip of Vannankuttai in Survey No.81 of Mamallapuram Village, Thirukazhukundram Taluk, Kancheepuram District.

For Petitioner : Mr.M.Gnanasekar

For Respondents 1 to 3 : Mr.V.Shanmuga sundar
Special Government Pleader

For Respondent 4 : No appearance

For Respondents 5 to 12 : L.Uthaya Kumar

ORDER

This writ petition has been filed by the petitioner to direct the respondents 1 to 4 not to damage or alter the existing cart track situated on the Northern strip of Vannankuttai in Survey No.81 of Mamallapuram Village, Thirukazhukundram Taluk, Kancheepuram District.

2. Today when the petition is taken up for hearing, learned counsel for the petitioner seeks permission of this court to withdraw this writ petition. However, he seeks liberty of this Court to approach the civil court. According to the petitioner, the subject land is a cart track situated on the Northern strip of Vannankuttai in Survey No.81 of Mamallapuram Village, Thirukazhukundram Taluk, Kancheepuram District.

3. However, the learned Special Government Pleader appearing for the respondents 1 to 3 has disputed the same and it is also stated in the counter affidavit of the fourth respondent that it is a water body.

4. Since there are disputed questions of fact, the learned counsel for the petitioner seeks liberty of this Court to approach the civil court to redress the grievance of the petitioner.

5. After recording the submission made by the learned counsel for the petitioner, this writ petition is disposed of by granting liberty to the petitioner to approach the civil court to redress his grievance in accordance with law. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

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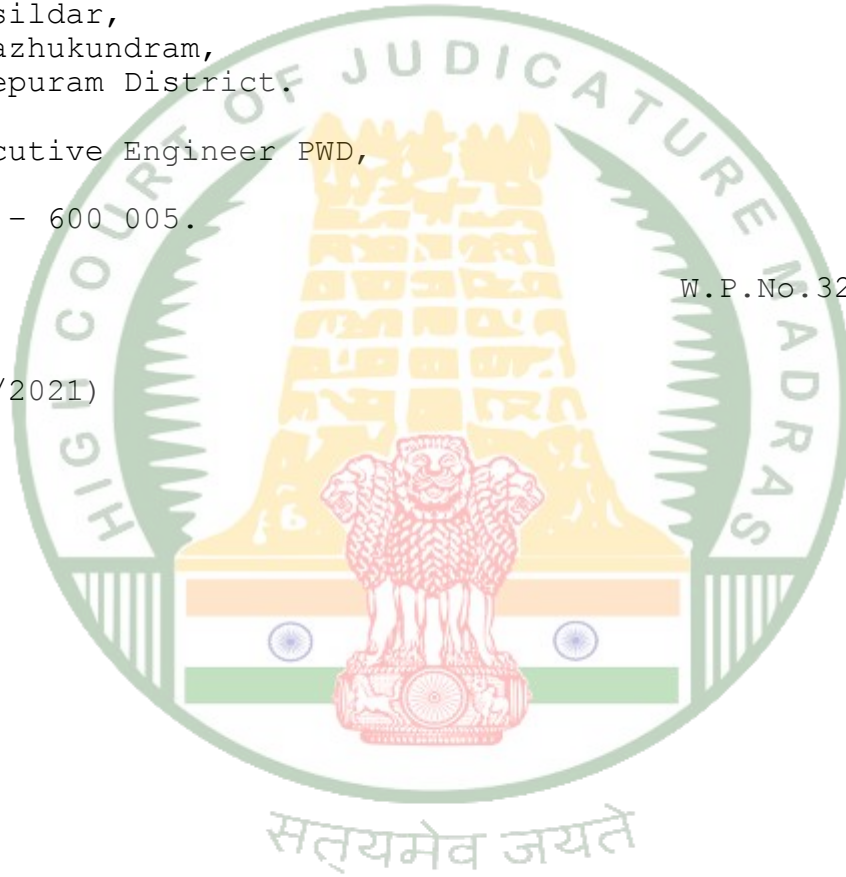
Sub Assistant Registrar

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To

- 1.The District Collector,
Kancheepuram District,
Kancheepuram.
- 2.The Revenue Divisional Officer,
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- 3.The Tahsildar,
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Kancheepuram District.
- 4.The Executive Engineer PWD,
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GMR (CO)
RMP (03/02/2021)



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