

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.03.2021

CORAM: JUSTICE N.SESHASAYEE

WP.No.7148 of 2021

R.Nageswaran

...Petitioner

-Vs-

- 1.The District Collector,
A Block, 2nd Floor,
Collectorate,
Vellore - 632 009.
 - 2.The District Adi Dravidar and Tribal
Welfare Officer,
Vellore District.
 - 3.The Special Tahsildhar,
Adi Dravidar Welfare Department,
Gudiyatham,
Vellore District.
 - 4.Village Administrative Officer,
Kilalathur Village,
Birth & Death Registrar,
K.V.Kuppam Taluk,
Vellore District.
- ...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue an order of writ of Mandamus directing the third respondent to pass an orders as per the enquiry in Ref.No.Na.Ka.A1/798/98, dated 23.09.2020 pertaining to the above lands which is situated at S.No.74/9 extent of 0.27.0 Ares at Kizalathur Village of Gudiyatham Taluk, Vellore District.

For Petitioner : Mr.David Tyagaraj
For Respondents : Mr.S.N.Parthasarathi
Government Advocate

ORDER

The petitioner's property was acquired under the provisions of the Tamil Nadu Acquisition of Land for Harijan Welfare Schemes Act and a 4(1) notification came to be issued on 15.10.1998. This came to be challenged by the land owners in

W.P.No.8406 of 1999, in which the present petitioner is the sixth petitioner. On 19.09.2008, this Court quashed the Section 4(1) notification and this order has become final.

2.In paragraph no.2 of the affidavit, the learned counsel for the petitioner states that some 27 Ares in Sy.No.74/9 was acquired and in page 22 of the typed-set of papers, a copy of the patta is made available, wherein, patta was given for some 6.5 Ares in Sy.No.74/9A.

3.The Court is at a loss to understand what exactly is the issue, since the affidavit does not give any clarity on the matter.

4.At this juncture, the learned counsel for the petitioner seeks the leave of this Court to withdraw this petition and to file a fresh petition with better affidavit indicating all the facts correctly.

5.The petitioner is permitted to withdraw this petition and is granted right to file a fresh petition on the same cause of action.

6.Accordingly, the Writ Petition is dismissed as withdrawn. No costs.

Sd/-
Asst.Registrar (CS VI)

/true copy/
Sub Asst. Registrar

Tsg
To

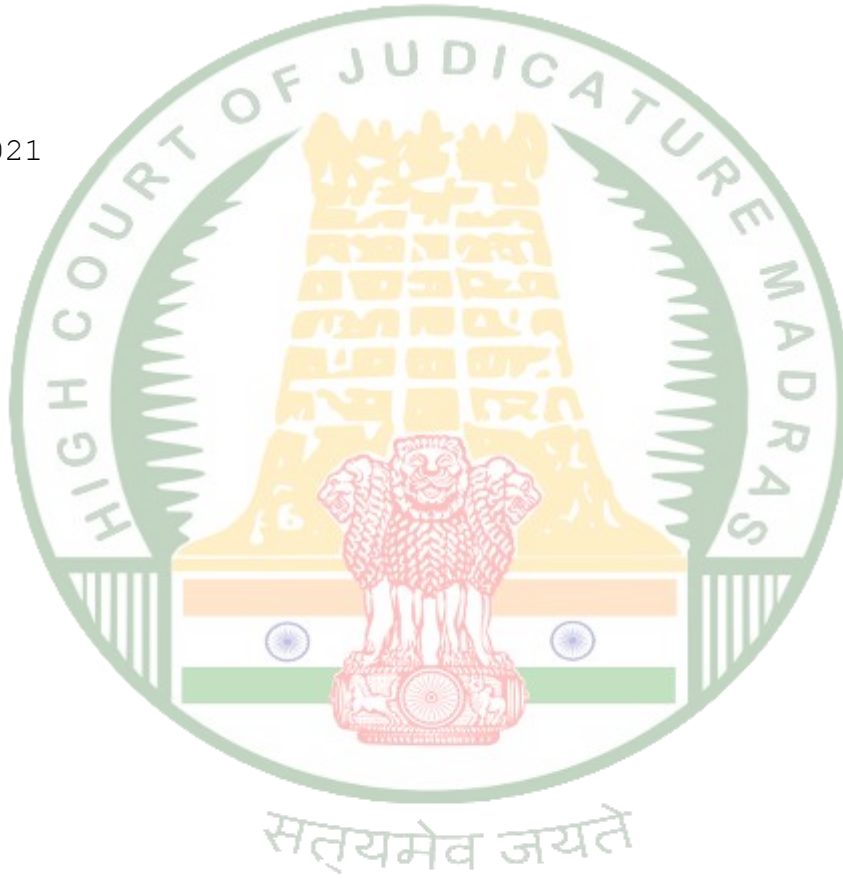
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+2 ccs to Mr.David Tyagaraj Advocate sr18277
+1 cc to Government Pleader sr 18215

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