



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.09.2021

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No.5855 of 2020

and

W.M.P. (MD) .No.5082 of 2020

M.Mohamed Khan

... Petitioner

Vs.

- 1.The District Collector,
Theni District,
Theni.
- 2.The Revenue Divisional Officer,
Uthamapalayam,
Theni District.
- 3.The Tahsildar,
Uthamapalayam Taluk,
Uthamapalayam,
Theni District.
- 4.The Executive Officer,
Uthamapalayam Town Panchayat,
Uthamapalayam.
- 5.The Superintendent of Police,
Theni District Police Office,
Theni.
- 6.M.Peer Mohamed,
Represented by his Power Agent,
U.A.Sulthan Ibrahim.
... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first to fifth respondents to conduct enquiry on the petitioner's complaint dated 31.12.2019 as well as representations dated 30.12.2019, 10.02.2020 and 27.02.2020 and cancel the separate Survey No.2389/16 assigned to the petitioner's private 6 feet wide North-South pathway leading from petitioner's house in bearing Door No.W14-6-69 to the Muslim Middle Street, in Uthamapalayam Town, Theni District and permit the petitioner and his family to use the said pathway (in Survey No.2389/16) as a private pathway within a time limit to be fixed by this Court.



For Petitioner : Mr.A.Thirumuthy
For R-1 to R-5 : Mr.P.Subbaraj,
Counsel for State.

ORDER

The petitioner seeks permission to withdraw this Writ Petition and has circulated a letter dated 17.09.2021 in this connection. Such permission is granted and accordingly W.P.(MD). No.5855 of 2020 is dismissed as withdrawn with liberty to file a civil suit before the jurisdictional civil court. Consequently, W.M.P.(MD).No.5082 of 2020 is closed.

Sd/-

Assistant Registrar (Current
section II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The District Collector,
Theni District,
Theni.
- 2.The Revenue Divisional Officer,
Uthamapalayam,
Theni District.
- 3.The Tahsildar,
Uthamapalayam Taluk,
Uthamapalayam,
Theni District.
- 4.The Executive Officer,
Uthamapalayam Town Panchayat,
Uthamapalayam.
- 5.The Superintendent of Police,
Theni District Police Office,
Theni.

+1 CC to M/s.A.THIRUMURTHY, Advocate (SR-30254[F] dated 24/09/2021)

+1 CC to M/s.SPL.GP (SR-30318[F] dated 27/09/2021)

**W.P (MD) No.5855 of 2020
24.09.2021**

SA/01.10.2021 : 2P/8C