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**W.P(MD)NO.17160 of 2021**

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.09.2021**

CORAM:

**THE HONOURABLE MR.JUSTICE M.DURAI SWAMY  
AND  
THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR**

**W.P(MD)NO.17160 of 2021  
and  
W.M.P(MD)No.14053 of 2021**

S.Pitchai : Petitioner  
vs.

1. The District Collector,  
Madurai District,  
Madurai.

2. The Tahsildar,  
Thirumangalam Taluk Office,  
Thirumangalam,  
Madurai District.

3. The Surveyor,  
Taluk Office, Thirumangalam,  
Thirumangalam Taluk,  
Madurai District.

: Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the proceedings issued by the second respondent, dated 09.09.2021, under Section 6 of the Tamil Nadu Encroachment Act, 1905 and to quash the same.

For Petitioner :Mr.B.Santhanam Rajeshkumar

For Respondents :Mr.B.Saravanan  
Government Advocate

**O R D E R**

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[Order of the Court was made by **M.DURAI SWAMY., J.**]

The learned Counsel appearing for the petitioner seeks permission of this Court to withdraw this Writ Petition, with liberty to the Petitioner to file an appeal, under Section 10 of the Tamil Nadu Land Encroachment Act 1905, as against the order passed



by the second respondent, dated 09.09.2021, under Section 6 of the 'Act'.

2.Recording the submission made by the learned Counsel appearing for the petitioner, the Writ Petition is dismissed as withdrawn. No costs. It is open to the petitioner to challenge the impugned order, dated 09.09.2021, by filing an appeal under Section 10 of the Tamil Nadu Land Encroachment Act,1905. Consequently, the connected Miscellaneous Petition is also dismissed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsn/lr

**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,  
Madurai District,  
Madurai.
2. The Tahsildar,  
Thirumangalam Taluk Office,  
Thirumangalam,  
Madurai District.
3. The Surveyor,  
Taluk Office, Thirumangalam,  
Thirumangalam Taluk,  
Madurai District.

+1 CC to M/s.SPL. GP ( SR-29996[F] dated 23/09/2021 )

**W.P (MD)NO.17160 of 2021**

**and**

**W.M.P (MD)No.14053 of 2021**

**22.09.2021**