



WEB COPY

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.10.2021

CORAM:

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

**W.P(MD)NO.19557 OF 2021
and
W.M.P(MD)No.16269 of 2021**

A.Mathialagan :Petitioner

.VS.

1.The District Collector,
Pudukkottai District,
Pudukkottai.

2.The Tahsildar,
Kulathur Taluk,
Pudukkottai District.

3.The Revenue Inspector,
Narthamalai Division,
Kulathur Taluk,
Pudukkottai District.

: Respondents

PRAYER:Writ Petition filed under Article 2236 of the Constitution of India praying this Court to issue a Writ of Certiorari calling for the records relating to the impugned notice, dated 8.10.2021 issued by the second respondent, under Section 6 of the Tamil Nadu Land Encroachment Act, 1905 and to quash the same as illegal.

For Petitioner : Mr.M.Suresh

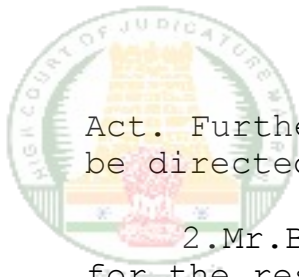
For Respondents : Mr.B.Saravanan
Govt.Advocate

O R D E R

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

Mr.M.Suresh, learned counsel appearing for the Petitioner seeks permission of this Court to withdraw this Writ Petition, with liberty to challenge the impugned notice, dated 8.10.2021 issued by the second respondent under Section 6 of the Tamil Nadu Land Encroachment Act, 1905 by way of an appeal under Section 10 of the

<https://hcservices.courts.gov.in/hcservices/>



Act. Further, the learned counsel submitted that the respondents may be directed to maintain status-quo for a period of one week.

2.Mr.B.Saravanan, learned Governmenty Advocate taking notice for the respondents has no objection for granting such liberty.

3.In view of the submission made by the learned counsel appearing on either side, the Writ Petition is dismissed as withdrawn. No costs. Liberty is given to the Petitioner to challenge the impugned order, dated 8.10.2021 before the appellate authority under Section 10 of the Tamil Nadu Land Encroachment Act, 1905 within a period of one week from the date of receipt of a copy of this order. The respondents are directed to maintain status- quo, as of today, for a period of one week. Consequently, connected miscellaneous Petition is dismissed.

Sd/-

Assistant Registrar(CS-)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

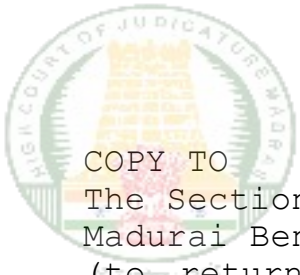
vsn

Note :

1.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,
Pudukkottai District,
Pudukkottai.
- 2.The Tahsildar,
Kulathur Taluk,
Pudukkottai District.
- 3.The Revenue Inspector,
Narthamalai Division,
Kulathur Taluk,
Pudukkottai District.



COPY TO
The Section Officer, E.R. Section,
Madurai Bench of Madras High Court, Madurai.
(to return the original impugned
order dated 8.10.2021 to the
learned counsel for the Petitioner
enabling him to file an appeal).

ORDER MADE IN
W.P (MD) NO.19557 OF 2021
and
W.M.P (MD) No.16269 of 2021
29.10.2021

RS-TR/JCP/SAR-II (28.10.2021) 3P 5C