



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.02.2022

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.20292 of 2018

and W.M.P.No.23830 of 2018

Villupuram K.K.Road Annai Indira
Nagar Residents Welfare Association,
Rep. by its Secretary, R.Kannan,
Indira Nagar, K.K.Road, V.Marudhur,
Villupuram.

.. Petitioner

vs

1. The District Collector,
Villupuram District, Villupuram.
2. The Assistant Engineer,
Public Works Department (WRD),
Villupuram.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus forbearing the respondents from proceeding pursuant to the eviction notice dated 07.02.2018 issued by the 2nd respondent and evicting the members of the petitioner Association from the land under their respective occupation upon dwelling of their family, comprised in Survey No.299/3A of V.Marudhur Village, Villupuram without providing any alternate site for dwelling of their family members.

For the Petitioner : Mr.S.Rajendiran

For the Respondents : Mr.P.Muthukumar
State Government Pleader



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ORDER

(Order of the Court was made by
the Hon'ble Chief Justice)

The learned counsel for the petitioner prays for withdrawal of the writ petition with liberty to avail the remedy of appeal.

In view of the above, the writ petition is dismissed as withdrawn with liberty as prayed for. The liberty would not construe to condone the maintainability of the appeal and further more, the pendency of appeal would not refrain the other party to take action in the matter as the land in question is of a waterbody, unless an interim order is passed in the appeal. There will be no order as to costs. Consequently, W.M.P.No.23830 of 2018 is closed.

Sd/-
Assistant Registrar (CS-CCC)

//True copy//

Sub Assistant Registrar

sra

To:

1. The District Collector,
Villupuram District, Villupuram.
2. The Assistant Engineer,
Public Works Department (WRD),
Villupuram.

W.P.No.20292 of 2018

GPL (CO)
GMY (02/03/2022)