



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2022

CORAM

The Hon'ble Mr. Justice PARESH UPADHYAY
and
The Hon'ble Mr. Justice SATHI KUMAR SUKUMARA KURUP

W.A.No.3143 of 2021
and C.M.P.No.21755 of 2021

- 1.The State of Tamil Nadu
rep. By its Secretary to Government,
Highways & Minor Ports (HQ-2) Department,
Secretariat, Fort St. George, Chennai - 9.
- 2.The District Revenue Officer,
Coimbatore District,
Collectorate Complex,
Hosur Road, Coimbatore - 641 018.
- 3.The Divisional Engineer (H),
NABARD & Rural Roads,
Highways Department,
Highways Complex, Trichy Road,
Coimbatore - 641 018.
- 4.The Chief Engineer (H),
NABARD & Rural Roads,
Highways Department,
Chennai - 600 032.

.. Appellants

Vs

R.Gunasekaran

.. Respondent

Appeal preferred under Clause 15 of Letters Patent against the order dated 25.02.2019 made in W.P.No.4994 of 2015.

Prayer in W.P.No.4994 of 2015 : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of certiorarified mandamus calling for the records relating to the G.O.(D) No.5 Highways and Small Ports (HQ 2) Department dated 7.1.2015 with an annexure thereto to be notified and published in the Tamil Nadu Government Gazette by the 1st respondent and quash the same and consequential forbear the respondents from acquiring the lands of the petitioners comprised in T.S. No.73 Singanallur Village, Coimbatore South Taluk Coimbatore District.



For Appellants : Mr.J.Ravindran,
Addl. Advocate General
assisted by
Mr.S.Ravikumar,
Spl. Govt. Pleader and
Mr.Gokul Krishnan,
Addl. Govt. Pleader

For Respondent : Mr.G.Ethirajulu

JUDGMENT
(Delivered by PARESH UPADHYAY, J.)

Challenge in this appeal is made to the order dated 25 February 2019 recorded in group of writ petitions being W.P.No.12617 of 2014 and cognate matters, based on the compromise memo produced on the record of writ petitions. The said order inter-alia records as under:

"3. A copy of the proceedings dated 31.12.2018 in respect of the meeting conducted under the concerned Hon'ble Minister, District Collector and other officials, relating to the construction of the bridge in question, also forms part of the compromise memo."

2. Prima facie, the said order may not call for any interference. However, before the matter is considered on merits, learned Additional Advocate General for the appellants has submitted that, since the Officer was not authorised to sign any such compromise memo, and / or the minutes did not mean what was projected before the Court, the State Authorities would move learned single Judge. He therefore seeks permission to withdraw this appeal.

3. This writ appeal is permitted to be withdrawn, with liberty as prayed for. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

mmi/9



To

1. The Secretary to Government,
The State of Tamil Nadu
Highways & Minor Ports (HQ-2) Department,
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Chennai - 9.
2. The District Revenue Officer,
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NABARD & Rural Roads,
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Chennai - 600 032.

+1cc to Mr.G.Ethirajulu, Advocate SR.No.1424

+1cc to Government Pleader SR.No.1599

W.A.No.3143 of 2021

SMI (CO)
GMY (25/01/2022)