



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE PARESH UPADHYAY
AND
THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P(MD)No. 2645 of 2022
and W.M.P.(MD) Nos.2339 and 2340 of 2022

1.A.Wins Anto

2.V.Muruges Pillai

3.R.Chellappan

4.K.Padmadhas

.. Petitioners

Vs

1. The District Collector,
Kanyakumari District,
Nagercoil.

2. The Executive Engineer,
Kothaiyar Irrigation Division,
W.R.D. Public Works Division,
Nagercoil.

3. The Assistant Engineer,
Irrigation Special (Tanks) Section,
W.R.D. Public Works Department,
Thuckaly, Kanyakumari District.

4. The Superintendent of Police,
Kanyakumari District, Nagercoil.

5. The Sub Collector,
Padmanabapuram Revenue Division,
Thuckalay, Kanyakumari District.

6. The Tahsildar,
Kalkulam Taluk, Thakkalai Post,
Kanyakumari District.

7. The President,
Chadayakangalam Village Panchayat,
Chadayakangalam,
Kanyakumari District.

.. Respondents



Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the Respondents to take immediate steps to remove all the encroachments in the Tank known as Mankulam @ Paambatti Kulam situated in S.No.429/7, Chadayamangalam Village, Kalkulam Taluk, Kanyakumari District by invoking the provisions of the Tamilnadu Protection of Tanks and eviction of Encroachment Act 2007 and to restore the said Tank to its original position.

For Petitioners : Mr.G.Prabhu Rajadurai
For Respondents : Mr.M.Siddharthan, AGP
for R1, R4 to R6

ORDER

(Made by PARESH UPADHYAY, J.)

Learned advocate for the petitioners seeks permission to withdraw this petition with a view to file proper petition which is not in the form of public interest litigation.

2. Permission as prayed for, is granted. It is clarified that we have not gone into the merits of the matter and therefore disposal of this petition as prayed for is not a factor against any of the petitioners.

3. Writ Petition is dismissed as withdrawn. No costs. Consequently, connected W.M.Ps would not survive.

Sd/-

Assistant Registrar (AE)

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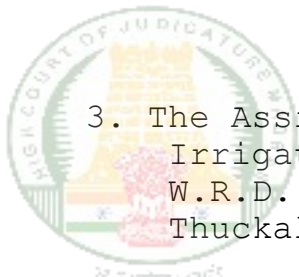
/ /2022

Sub Assistant Registrar(CS)

Pkn/11

To:

1. The District Collector,
Kanyakumari District,
Nagercoil.
2. The Executive Engineer,
Kothaiyar Irrigation Division,
W.R.D. Public Works Division,
Nagercoil.



3. The Assistant Engineer,
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6. The Tahsildar,
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Kanyakumari District.

+1 CC to M/s.SPL.GP (SR-5682[F] dated 11/02/2022)

W.P (MD)No.2645 of 2022
10.02.2022

_RD(22.02.2022) 3P 8C