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W.P.No.5026 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2023

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE K. RAJASEKAR

W.P. No.5026 of 2019

E.R.Karuppan

... Petitioner

Vs.

1.The District Collector,
Dharmapuri District,
Dharmapuri 636 705.

2.The District Revenue Officer,
District Revenue,
Collectorate,
Dharmapuri – 636 705.

3.The Revenue Divisional Officer,
Dharmapuri – 636 705.

4.The Tahsildar,
Nallampalli Taluk,
Dharmapuri District – 636 705.

5.M.Raji

6.Salammal

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 to 4 to consider the representation of the petitioner dated 26.09.2018 and to remove the encroachment in land in S.No.388/2 of an extent of 0.06 cents in Erikodipatti Village, Nallampalli Taluk, Dharmapuri District.

For Petitioner : Mr.M.Arun Anbumani
For R1 to R4 : Mr.A.Selvendran
Special Government Pleader
For R5 & R6 : No appearance

ORDER

(Order of the Court was made by S.S. SUNDAR, J.)

(1)After advancing arguments for some time, the learned counsel appearing for the petitioner seeks permission of this Court to withdraw the writ petition, with liberty to the petitioner to approach the Civil Court on the basis of revenue documents and the findings of the Revenue Divisional Officer.

(2)Mr.A.Selvendran, learned Special Government Pleader appearing for the respondents 1 to 4 submitted that the stand taken by the petitioner is not



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correct and the District Collector has now passed an order directing grant of patta to the occupants, since the lands are classified as 'Natham Poramboke'. He further submitted that it is open to the petitioner to establish his right and title before the Civil Court.

(3) In view of the same, the writ petition stands **dismissed**, however with liberty preserved to the petitioner to agitate his right before the Civil Court and establish his title and seek appropriate remedy. No costs.

(S.S.S.R., J.) (K.R.S., J.)
07.07.2023

AP

Internet : Yes

Index : Yes / No

To

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Dharmapuri 636 705.
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