



SUB A(MD). No.97 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Tuesday, the Eighth day of August Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice S.S.SUNDAR

AND

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

SUB A(MD). No.97 of 2021

in

CONT P(MD).No.479 of 2019

M/s.Aru.Siva.Vannia Nadar Memorial Trust,
O/at 78-B I.C.A.Colony,
Ramamoorthy Road Virudhunagar-626 001 Rep.
Rep by its Founder Patron Wing Commander
S.Janakarajan I.A.F. (Retd.,) ... Petitioner/Petitioner

Vs

- 1 A.Sivagnanam,
The Collector
Virudhunagar District
Virudhunagar-626 002.
- 2 Chellappa
Revenue Divisional Officer,
Aruppukkottai Division,
Aruppukkottai-626 101.
- 3 Bhuvaneswaran @ Annamalai
The Commissioner,
Aruppukkottai Municipal Council,
Aruppukkottai-626 101.



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4 Selva Raju

The Director,

Tamil Nadu Survey and Settlement Department,

Survey House,

Chennai- 600 005.

(R4 Suo Motu Impleaded Vide Court

Order Dated 29.09.2021)

... Contemnors/Respondents

Prayer :-

Petition filed under Article 226 of Constitution of India to re-open the Contempt Petition Cont.P(MD)No.479 of 2019 in WP(MD)No.13153 of 2018 which was closed on 29.01.2021.

Prayer in CONT P(MD). No.479 of 2019 :-

This Petition is filed Under Section 11 of Contempt of Courts Act 1971 praying to punish the contemnors in accordance with law for the failure with oblique motive to comply with the Writ order passed before this Honourable Court on 24.09.2018 in WP(MD)No.13153 of 2018.

Prayer in WP(MD). 13153/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the 1st respondent to retrieve the

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water body from illegal encroachers by demolishing the illegal encroached constructions and retrieve and rededicate it to public use and utility, maintainable by the petitioner trust for the perpetual use of the public, subsequently directing the 2nd to 5th respondents to cancel the allotment of pattas, survey numbers and tax assessment of the impugned water body to the illegal water body encroachers and cancel all the registrations with respect to the impugned public water body in question respectively.

ORDER:- This Sub Application Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr. C.Ganesh Kumar, Advocate for the Petitioner and of Mr.D.Sachikumar, Additional Government Pleader appearing for the Respondents No.1,2 and 4 and of Mr.N.Dilip Kumar, Advocate for Respondnet No.3, this Court made the following order:

[Order of the Court was made by S.S.SUNDAR, J.]

Learned counsel for the petitioner seeks permission of this Court to withdraw the Sub Application and he has also made an endorsement to that effect.



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2. Recording the said submission and endorsement, this Civil Miscellaneous Petition is dismissed as withdrawn.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/08/2023

Sub Assistant Registrar(CS)

SJ

TO

1. The Collector, Virudhunagar District
Virudhunagar-626 002.
2. The Revenue Divisional Officer,
Aruppukkottai Division
Aruppukkottai-626 101.
3. The Commissioner
Aruppukkottai Municipal Council
Aruppukkottai-626 101.
4. The Director,
Tamil Nadu Survey and Settlement Department,
Survey House
Chennai- 600 005.
5. The Special Govt. Pleader,
Madurai Bench of Madras High Court, Madurai



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Copy to:

The Section Officer,
Contempt Section,
Madurai Bench of Madras High Court, Madurai

ORDER DATED : 08/08/2023

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ORDER

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in

CONT P(MD).No.479 of 2019

Giving direction and etc.
as stated within.

RD(21/08/2023) 5P / 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.