



WP(MD)No.21704 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 04.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

and

THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

W.P.(MD)No.21704 of 2023

and W.M.P.(MD)No.18108 of 2023

A.Selvaraj

: Petitioner

Vs.

1.The District Collector,
Kanyakumari District at
Nagercoil.

2.The Executive Officer,
Killiyoor Town Panchayat,
Kanyakumari District.

3.Mr.T.Rajenthiran

: Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents herein to forthwith remove the illegal and unauthorized construction of the 3rd respondent made in Survey No. 518/3, Killiyoor Village, Killiyoor Taluk, Kampilar, Periyapilamoottu Vilai, Mangarai Post, Kanyakumari District.

For Petitioner : Mr.R.Russel Raj

For Respondents : Mr.P.Thilak Kumar,
Govt. Pleader for R1 & R2
Assisted by Mr.M.Senthil Ayyanar,
Government Advocate.

Mr.K.Samidurai for R3

ORDER

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

When the matter was taken up, Mr.R.Russel Raj, learned counsel on record for petitioner sought leave of this Court to withdraw the captioned Writ Petition and the captioned 'Writ Miscellaneous Petition' ('WMP' for brevity) therein but made a plea that all the rights and contentions of the petitioner may please be preserved for raising the same in appropriate Court/s/Forum/Fora/Authority/Authorities vide suitable proceeding/s. Request acceded to.



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2. Learned counsel has made an endorsement in the case file and a scanned reproduction of the same is as follows:

*This petition may
be permitted to
withdraw*

[Signature]
For
Date
04-10-2023

3. In the light of the narrative thus far, captioned Writ Petition and WMP thereat is disposed of as closed / withdrawn albeit preserving all the rights and contentions of the petitioner in the aforesaid manner. Though obvious, we also make it clear that we have not expressed any view or opinion on the merits of the matter and if any Court/s/Forum/Fora/Authority/Authorities is/are approached, pertaining to the subject matter of the captioned WP, the same shall be dealt with by such a Court/s/Forum/Fora/Authority/Authorities qua the merits of the proceedings initiated in accordance with law untrammelled by withdrawal of



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the captioned Writ Petition. There shall be no order as to costs.

Consequently, connected WMP is closed on same terms.

[M.S.,J.] & [R.S.V.,J.]

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Neutral Citation : Yes
Index : Yes
Internet : Yes

vsm



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M.SUNDAR, J.

and

R.SAKTHIVEL, J.

vsm

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