



WP(MD)No.30208 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 19.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

and

THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

W.P.(MD)No.30208 of 2023
and W.M.P.(MD)No.26041 of 2023
in W.P.(MD)No.30208 of 2023

Marimuthu

: Petitioner

Vs.

- 1.The District Collector,
Dindigul District,
Dindigul.
- 2.The Revenue Divisional Officer,
Dindigul Revenue Division,
Dindigul District.
- 3.The Tahsildar,
Dindigul West Taluk,
Dindigul District.
- 4.The Commissioner,
Reddiarchatram Panchayat Union,
Dindigul District.



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5. The President Ponnimandurai Panchayat,
Reddiarchatram Panchayat Union,
Dindigul District.

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 5 to remove the encroachments made in the property S.No.890/1 and 890/16, in Rayarpatti in Sindalagundu Revenue Village in Ponnimandurai Panchayat in Reddiarchatram Panchayat Union in Dindigul District which has been done partly already and to complete the removal of encroachment as per the representations dated 27.03.2023 and 31.07.2023 within a time time frame.

For Petitioner : Mr.F.X.Eugene

For Respondents : Mr.P.Thilak Kumar,
Government Pleader

ORDER

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

When the matter was taken up, it came to light that the subject matter is alleged encroachments but the alleged encroachers have not been arrayed as co-respondents.



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2. Faced with the above situation, Mr.F.X.Eugene, learned counsel for WP petitioner sought leave of this Court to withdraw the captioned main Writ Petition and the captioned 'Writ Miscellaneous Petition' ('WMP' for the sake of brevity) thereat. Learned counsel has made an endorsement in the case file and a scanned reproduction of the same is as follows:



3. Learned counsel sought leave of this Court to preserve all the rights and contentions of the petitioner and or any one concerned with alleged encroachments to file a fresh Writ Petition with same / similar prayer on the same issue after arraying the alleged encroachers as co-respondents. Request acceded to.



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4. Captioned WP and captioned WMP are disposed of as closed / withdrawn albeit with the aforementioned observations and preservation of rights in the above said manner. There shall be no order as to costs.

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

19.12.2023

Neutral Citation : Yes/No
Index : Yes/No

vsm

Post Script:

Upload on tomorrow i.e., 20.12.2023.



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and
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vsm

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