



W.P.No.15119 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2024

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR

and

THE HONOURABLE MRS.JUSTICE K.GOVINDARAJAN THILAKAVADI

W.P.No.15119 of 2024

and

W.M.P.Nos.16417, 16419 & 16421 of 2024

in

W.P.No.15119 of 2024

1. A.Udhaya
W/o.T.Ashok

2. A.Santhanamari
W/o.T.Anand

... petitioners

Vs.

1. The District Collector
Villupuram.

2. The Sub Collector
Tindivanam.

3. The Block Development Officer
(Village Panchayat)
Ollakur Panchayat Union
Tindivanam.

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4. The Superintendent of Police
Villupuram.

5. The Revenue Tahsildar
Taluk Office, Tindivanam
Villupuram District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records relating to the impugned notices of the 3rd respondent under Section 7 of the Tamil Nadu Act 3 of 1905 dated 01.12.2023 and notice under Section 6 of the Tamil Nadu Act 3 of 1905 dated 15.12.2023 and quash the same.

For Petitioners : Mr.K.R.Samratt
represnting Mr.H.Rajasekar

For Respondents : Mr.T.K.Saravanan
Government Advocate

ORDER

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

As against the impugned order there is an appeal remedy for the writ petitioners vide Section 10 of 'the Land Encroachment Act, 1905' [hereinafter 'said Act' for the sake of convenience and clarity] and that the appeal lies to the first respondent - District Collector.



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2. Faced with the above situation, learned counsel on record for writ petitioners sought leave of this Court to withdraw the captioned writ petition but made a request to preserve the rights of the writ petitioners to pursue the appeal remedy. Learned counsel has made an endorsement in the case file and a scanned reproduction of the same is as follows:

I may be permitted
to withdraw the
writ Petition & WMP's
in W.P.No:- 15119 of 2024
W.M.P. No:- 16417, 16419, 16421
of 2024
C.R. Samudra S. 12.6.24
For Counsel for Petitioner

In the light of the narrative thus far, captioned Writ Petition and Writ Miscellaneous Petitions are disposed of as closed / withdrawn albeit preserving rights of the writ petitioners to pursue appeal remedy vide Section 10 of said Act. There shall be no order as to costs.

(M.S.,J.)

(K.G.T.,J.)

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Index : Yes / No

Speaking / Non-speaking

Neutral Citation : Yes / No

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M.SUNDAR, J.,
and

K.GOVINDARAJAN THILAKAVADI, J.,

mk

To

1. The District Collector
Villupuram.
2. The Sub Collector
Tindivanam.
3. The Block Development Officer
(Village Panchayat)
Ollakur Panchayat Union
Tindivanam.
4. The Superintendent of Police
Villupuram.
5. The Revenue Tahsildar
Taluk Office, Tindivanam
Villupuram District.

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