



WEB COPY

W.P.No.18819 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :22.07.2024

CORAM

**THE HONOURABLE MR.JUSTICE M.SUNDAR**

and

**THE HONOURABLE MRS.JUSTICE K.GOVINDARAJAN**

**THILAKAVADI**

**W.P.No.18819 of 2024**

S.Salai Kavimani

... Petitioner

Vs.

1. The District Collector  
O/o. The Vellore District Collectorate  
Vellore – 632 012
2. The Revenue Divisional Officer  
O/o.Revenue Divisional Office  
Vasanthapuram  
Kosapet, Vellore – 632 001
3. The Tahsildar  
O/o.Anaicut Taluk Office  
Anaicut, Vellore Distirct – 632 101
4. The Assistant Director  
Land Survey Records Department  
District Collectorate Building  
Sathuvachari, Vellore – 632 101



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5. The Divisional Engineer (H) C & M  
O/o. The Divisional Engineer  
West Main Road  
Suthanthira Ponvizha Nagar  
Gandhi Nagar West, Katpadi, Vellore – 632 006

6. The Assistant Engineer (H) C&M  
Office of the Assistant Engineer (H)  
Construction and Maintenance Sub Division  
Vellore – 632 009

7. Mr.Dhayalan ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 24.05.2021.

For Petitioner : Mr.M.Samuel Raja  
For Respondents : Mr.T.K.Saravanan  
Government Advocate R1 to R6

### **ORDER**

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

After some arguments Mr.M.Samuel Raja, learned counsel on record for writ petitioner sought leave of this Court to withdraw the captioned 'Writ Petition' ['WP' for the sake of brevity] as there is lack of clarity on the part of the writ petitioner regarding who would be the Authority who is vested with the powers qua alleged encroachment in National Highways. To be



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note, in paragraph 3 of the support affidavit there is a categorical averments by the writ petitioner that the alleged encroachment by R7 (private respondent) is in National Highways.

2. In the light of the narrative thus far, learned counsel made an endorsement in the case file and a scanned reproduction of the same is as follows:

(Counsel for P-1)  
Maybe Measured/Permitted the Petitioner  
to file a fresh petition  
to encroach  
B. S. S. S.  
(Counsel for Petitioner)  
22/7/24.

3. Learned counsel Mr.M.Samuel Raja made a request to preserve all the rights and contentions of the writ petitioner to file another writ petition and/or seek any other remedy available in law on the same cause of action. This request for preservation of rights is acceded to.



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Captioned WP disposed of as closed/withdrawn albeit with preservation of rights of the writ petitioner in the aforesaid manner. Though obvious we make it clear that we have not expressed any view or opinion on the merits of the matter in this order. There shall be no order as to costs.

**(M.S.,J.) (K.G.T.,J.)**  
22.07.2024

Index : Yes / No  
Speaking / Non-speaking order  
Neutral Citation : Yes / No  
*gpa*



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**M.SUNDAR, J.,**

**and**

**K.GOVINDARAJAN THILAKAVADI, J.,**

*gpa*

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