



W.P.Nos.12862 & 12868 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE N. SENTHILKUMAR

W.P.Nos.12862 & 12868 of 2023

and

W.M.P.Nos.16632 & 18249 of 2023

P.Kanya Kumari

... Petitioner
in W.P.No.12862 of 2023

C.Sumithra

... Petitioner
in W.P.No.12868 of 2023

Vs.

1.The District Collector,
Office of the District Collector,
Tiruvallur,
Tiruvallur District.

2.The District Revenue Officer,
Office of the District Revenue Officer,
Tiruvallur,
Tiruvallur District.



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3.The Commissioner
(Planning Permission)
Cholavaram Panchayat Union,
Tiruvallur District.

4.The Special Officer,
Block Development Office,
Sholavaram,
Tiruvallur District.

5.T.Jeeva

... Respondents
in both writ petitions

Common Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the 1st and 2nd respondents to consider the representation, dated 14.03.2023, within time frame and direct them in turn to give directions to the 3rd and 4th respondents to take necessary cum speedy action as per the provisions of the Tamil Nadu Town and Country Planning Act, 1971, and Rules in order to stop the illegal and unauthorised construction being carried out by the 5th respondent and save the petitioner's property from damage being injected by the 5th respondent.

For Petitioner : Mr.S.S.Kumar
in both writ petitions

For R1 and R2 : Mrs.S.Anitha
Special Government Pleader
in both writ petitions



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For R3 and R4 : Mr.M.Bindran
Additional Government Pleader
in both writ petitions

For R5 : Mr.D.Gopinathan
in both writ petitions

COMMON ORDER

(Order of the Court was made by **S.S. SUNDAR, J.**)

Learned counsel for the petitioner seeks permission of this Court to withdraw these writ petitions.

2.Learned counsel appearing for the 5th respondent states that an Advocate Commissioner was appointed at the instance of the petitioner, who has filed a report stating that the petitioner has encroached into a portion of the property of the 5th respondent measuring 4.8 sq.ft. It is therefore, the learned counsel has some objections for withdrawal of these writ petitions.



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3.This Court, having regard to the facts and circumstances of the case, finds that no direction can be issued in these writ petitions filed by the petitioner. It is open to the 5th respondent to file a suit for compensation or for whatever relief he thinks fit. With such liberty preserved to the 5th respondent, these writ petitions are dismissed as withdrawn. No costs. Consequently, connected miscellaneous petitions are closed.

(S.S.S.R., J.) (N.S., J.)
12.01.2024

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Internet : Yes

Index : Yes / No

Neutral Citation : Yes / No

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and
N. SENTHILKUMAR, J.

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