



WEB COPY



W.P. No.18577 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.07.2024

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR

and

THE HONOURABLE MRS.JUSTICE K.GOVINDARAJAN THILAKAVADI

W.P. No.18577 of 2024

and

W.M.P.No.20365 of 2024

in

W.P.No.18577 of 2024

M.Jayachandran
S/o.Muthayan

.. Petitioner

Vs.

1. The District Collector
Office of the District Collectorate
Villupuram District.
2. The Revenue Divisional Officer
Office of the Tahsildar
Marakanam
Villupuram District.
3. The Tashildar
Office of the Tashildar
Marakanam
Villupuram District.
4. The Assistant Director
Town and Country Planning
Villupuram Division



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Villupuram.

5. The Block Development Officer
Village Panchayat
Marakanam
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 of the impugned order passed by the 2nd respondent vide Na.Ka.No.A2/192/2024 dated 14.06.2024 and quash the same.

For Petitioner : Mr.B.Balavijayan

ORDER

(Order of the Court was made by **M.Sundar, J.**)

After some arguments, Mr.B.Balavijayan, learned counsel on record for writ petitioner sought leave of this Court to withdraw the captioned 'Writ Petition' {hereinafter 'WP' for the sake of brevity} and captioned 'Writ Miscellaneous Petition' {hereinafter 'WMP' for the sake of brevity} thereat but made a plea to preserve all rights and contentions of writ petitioner / petitioner to pursue appeal remedy under Section 10 of 'the Tamil Nadu Land Encroachment Act, 1905 (Tamil Nadu Act III of



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1905)' {hereinafter 'said 1905 Act' for the sake of brevity}, saying so,

learned counsel made endorsement in the case file and a scanned reproduction of the endorsement is as follows:

Sub.
The Petitioner May be permitted
to withdraw, the above writ Petition & WMPs.
with liberty to prefer the
Appeal before the District Collector,
Tamil Nadu Land Rec.
under Sec. 10 of the Act 1905.
05/07/2024.
Counsel for the Petitioner

2. In the light of the narrative thus far, captioned WP and captioned WMP thereat are disposed of as closed / withdrawn albeit preserving all rights and contentions of the writ petitioner to pursue appeal remedy under Section 10 of said 1905 Act. Though obvious, we make it clear that we have not expressed any view or opinion on the merits of the matter. Therefore, if an appeal is preferred, R1, who is the Appellate Authority shall consider the appeal on its own merits and in accordance with law.



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Captioned WP and captioned WMP thereat are disposed of as closed / withdrawn albeit preserving all rights of the writ petitioner in the aforesaid manner. There shall be no order as to costs.

(M.S.J.) (K.G.T.J.)
05.07.2024

Index: Yes/No
Neutral Citation: Yes/No
Speaking/Non-speaking

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To

1. The District Collector
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M.SUNDAR.J.,
and
K.GOVINDARAJAN THILAKAVADI, J.,
mk

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