



WEB COPY



W.P.No.36472 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2024

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR

W.P.No.36472 of 2024

S.Ilayaraja
S/o.P.K.Singaravel

... Petitioner

Vs.

1. The District Collector
Office of the District Collector
Salem.
2. The District Revenue Officer
The District Collectorate
Salem.
3. The Tahsildar
Salem West
Salem.
4. The Assistant Director (Panchayats)
The District Collectorate
Salem.
5. The Block Development Officer
Veerapandi
Salem District.

Page Nos.1/6



WP.No.36472 of 2024

WEB COPY

6. Mr.N.Ranganathan
S/o.Late Nallappa
7. Mr.N.Sathiyamoorthy
S/o.Natarajan

... Respondents

Prayer :

Writ Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Mandamus to direct the respondents 1 to 3 to classify the subject stream running in S.No.87/4 and Odai Poramboke and allot separate sub division by measuring the same by considering the petitioner's representation dated 29.04.2024 within a time frame.

For Petitioner : Mr.S.Sriram
for Mr.J.Hariharan
M/s.KV Law Firm

ORDER

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

When the captioned 'Writ Petition' {hereinafter 'WP' for the sake of brevity} was taken up, Mr.Sriram, learned counsel representing counsel on record Mr.J.Hariharan of M/s.KV Law Firm sought leave of this Court to withdraw the captioned 'Writ Petition' {'WP'} but made a plea to preserve all



WP.No.36472 of 2024

rights and contentions of writ petitioner to pursue a suit viz., O.S.No.183 of 2022 on the file of the Principal District Munsif Court, Salem which has been filed by writ petitioner's father *inter alia* against R6 [N.Ranganathan], R7 [N.Sathiyamoorthy] and others, saying so, learned counsel has made an endorsement in the case file and a scanned reproduction of endorsement is as follows:

The writ petition may be permitted for withdrawal by the petitioner.
S. Sathyan. 27/05/16
for,
J. Manikandan 1861/2013
Counsel for Petitioner.
09/12/2024.
9500111798

2. Captioned WP disposed of as withdrawn / closed albeit with preservation of rights qua suit being O.S.No.183 of 2022 on the file of the Principal District Munsif Court, Salem. Though obvious, for the sake of specificity, we make it clear that all rights and contentions of defendants in the suit are also preserved.



WP.No.36472 of 2024

3. Learned Principal District Munsif, Salem shall continue with the suit (next listing date is 09.01.2025) untrammelled by this withdrawal. In other words as regards the suit, Civil Court shall proceed on its own merits and in accordance with law. We find that there is no whisper about the suit in the support affidavit qua captioned WP. However, considering the nature of submissions made, we refrain from imposing costs in this case.

(M.S.,J.) (K.R.S.,J.)
09.12.2024

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

mk



WP.No.36472 of 2024

To

WEB COPY

1. The District Collector
Office of the District Collector
Salem.
2. The District Revenue Officer
The District Collectorate
Salem.
3. The Tahsildar
Salem West
Salem.
4. The Assistant Director (Panchayats)
The District Collectorate
Salem.
5. The Block Development Officer
Veerapandi
Salem District.



WEB COPY



W.P.No.36472 of 2024

M.SUNDAR, J.,
and
K.RAJASEKAR, J.,

mk

W.P.No.36472 of 2024

09.12.2024

Page Nos.6/6