



WEB COPY



W.P. No. 28610 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2024

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

**W.P. No. 28610 of 2023
and
W.M.P. No. 28159 of 2023**

Muhammedha

... Petitioner

-VS-

1. The Block Development Officer,
Panchayat Union,
Udumalpet,
Tirupur District.
2. The President,
Periyakkottai Panchayat,
Udumalpet,
Tiruppur District.
3. The Deputy Director of Town and Country Planning,
1st Floor, Kumaran Commercial Complex,
Tiruppur.
4. The Tahsildar,
Udumalpet Taluk,
Tirupur District.

... Respondents

*(R3 suo-motu impleaded vide order of this Court dated
24.01.2024 in W.P.No.28610 of 2023)*

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorarified Mandamus, calling for the



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records of the Second Respondent made in Memo of Letter made in Na.Ka.No.822/2022/A1 dated 20.06.2022 and quash the same and consequently, direct the Second Respondent for grant of regularization in respect of the property bearing S.No.142/B2 to an extent of 23.70 Cents, Udumalpet Village and Taluk, Tirupur District.

For Petitioner : Mr. N.Umapathi

For Respondents : Ms. R.Anitha, (for R1)

Mr. M.N.Balakrishnan (for R2)

Mr. V.Ravi, (for R3 and R4)
Special Government Pleader

ORDER

Heard Mr. N.Umapathi, Learned Counsel for the Petitioner, Ms. R.Anitha, Learned Counsel appearing for the First Respondent, Mr. M.N.Balakrishnan, Learned Counsel for the Second Respondent and Mr. V.Ravi, Learned Special Government Pleader appearing for the Third and Fourth Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition has been filed challenging the Order in Na. Ka.



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No. 822/2022/A1 dated 20.06.2022 passed by the Second Respondent informing the Petitioner that the property in Survey No. 142/B2 measuring an extent of 23.70 Cents, Udumalpet Village and Taluk, Tiruppur District cannot be regularized and to consequently direct the Second Respondent to regularize that property.

3. In furtherance to the order dated 24.01.2024 passed by this Court, the Fourth Respondent has filed Status Report on 04.03.2024 confirming that electrical towers are passing through the property. In such circumstances, Learned Counsel for the Petitioner seeks permission of the Court to withdraw the Writ Petition reserving rights of the Petitioner to make fresh application in respect of the undisputed portions of the lands separately and workout his remedies in accordance with law and he has made an endorsement to that effect in the court record.

In view of the same, the Writ Petition is dismissed as withdrawn with the aforesaid clarification. Consequently, connected Miscellaneous Petition is closed. No costs.

04.03.2024

Index: Yes/No

NCC: Yes/No



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Note: Issue order copy by 23.04.2024.

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To

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P.D. AUDIKESAVALU, J.

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