



WEB COPY



W.P.Nos.29025, 29029, 29032, 29033, 29161, 29163, 29167 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.11.2024

Coram

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

and

THE HONOURABLE MR.JUSTICE **K.RAJASEKAR**

W.P.Nos.29025, 29029, 29032, 29033, 29161, 29163, 29167 of 2024

&

W.M.P.No.31666, 31671, 31678, 31842, 31848, 31851 of 2024

W.P.No.29025 of 2024

A.C.K.Kannan

S/o.A.C. Kuppusamy

.. Petitioner

VS

The State rep. By

The Executive Engineer

Water Resource Department

Araniyur Basin Division

Chepauk

Chennai – 600 005

.. Respondent

Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorarified mandamus calling for records pertaining to the impugned order bearing Proc.No.DB/JDO.4/F.411 Eviction dated 02.05.2024 and to quash the same and consequently direct the respondent not to disturb the possession of the petitioner's shop



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situated at WRD Plot No.5C, C.B.Road, Basin Bridge, Chennai-21 until the respondent pass appropriate orders after giving personal hearing to the petitioner based on his representation dated 14.08.2024.

For Petitioner : Mr.R.Thirumoorthy
in all WPs

For Respondent : Mr.T.K.Saravanan
Government Advocate
in all WPs

COMMON ORDER

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

When the matter was taken up, it came to light that the impugned order has been made by the sole respondent pursuant to order made by another Hon'ble Division viz., order dated 12.09.2022 in W.P.No.6609 of 2014, which is a 'Public Interest Litigation' ['PIL' for the sake of brevity].

2. It is seen that the impugned order is passed entirely on the basis of aforesaid order of the other Hon'ble Division Bench.

3. Faced with the above situation, Mr.R.Thirumoorthy, learned counsel for writ petitioners in the captioned seven writ petitions sought



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leave of this Court to withdraw the captioned writ petitions but made a plea to preserve all the rights and contentions of the writ petitioners to seek review of order dated 12.09.2022 in W.P.No.6609 of 2014. This request is acceded to.

4. Be that as it may, we find the writ petitioners in the captioned matters are not parties to W.P.No.6609 of 2014. Therefore, if a third party review is filed, grant of leave or condonation of delay will all be at the discretion of the Hon'ble Bench concerned.

5. The endorsements made by learned counsel for writ petitioners in the case files are as follows:

W.P. No.29025 of 2024

I may permit to
withdraw this W.P. & W.P.
with liberty to file a
review.
R. Thy
Counsel for
12.11.2024
(P. THIRUMORTHY)

W.P. No.29029 of 2024

I may permit to withdraw
this W.P. and W.P. with
liberty to file a review
petition.
R. Thy
Counsel for
(P. THIRUMORTHY)
12.11.2024

RECEIVING
WRIT
16 SEP 2024
SECTION
MADRAS
H.C. SIDE, MADRAS



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W.P. No.29032 of 2024

W.P. No.29033 of 2024

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I May permit to withdraw
this W.P and W.M.P with
liberty to file a Review
petition.

P. Thy
Counsel for Plaintiff
(P. THIRUMURTHY)
12.11.2024



I May permit to withdraw
this W.P and W.M.P with
liberty to
file a Review
petition

P. Thy
Counsel for Plaintiff
(P. THIRUMURTHY)
12.11.2024



W.P. No.29161 of 2024

W.P. No.29163 of 2024

I May permit to withdraw
this W.P and W.M.P with liberty
to file a Review petition

P. Thy
Counsel for Plaintiff
(P. THIRUMURTHY)
12.11.2024



I May permit to withdraw this
W.P. & W.M.P with liberty to
file Review

P. Thy
Counsel for Plaintiff
(P. THIRUMURTHY)
12.11.2024





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W.P. No.29167 of 2024

WEB COPY

I may permit to withdraw this
W.P and W.M.P with liberty to
file a review petition

P. Thirunobari
Counsel for petitioner
(P. THIRUNOBARI)
12.11.2024



12/11/24
12/11/24

6. In the light of the narrative thus far, captioned seven writ petitions and captioned six WMPs thereat are disposed of as withdrawn albeit with preservation of rights and contentions of the writ petitioners in the aforesaid manner. There shall be no order as to costs.

[M.S.,J] [K.R.S.,J]
12.11.2024

Index: Yes/No

Neutral Citation: Yes/No

gpa



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

gpa

To

The Executive Engineer
Water Resource Department
Araniyur Basin Division
Chepauk
Chennai – 600 005

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12.11.2024