



W.P.No.32859 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.11.2024

CORAM

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

W.P.No.32859 of 2024
and
W.M.P.No.35686 of 2024
in
W.P.No.32859 of 2024

P.Shanmugam
S/o.Periyana Gounder

... Petitioner

Vs.

1. The District Collector
Erode District
Erode - 638 011.
2. The Tahsildar
Modakkurichi Taluk
Modakkurichi
Erode District - 638 104.
3. The Revenue Inspector
Modakkurichi Unit
Modakkurichi Taluk
Erode District.

... Respondents

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Prayer :

Writ Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Certiorari to call for the records on the file of the 2nd respondent's notice dated 21.10.2024 issued under Section 6 of the Land Encroachment Act, 1905 and quash the same.

For Petitioner : Mr.P.Kannan Kumar
For Respondents : Mr.V.Ravi
Special Government Pleader

ORDER

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

When the matter was taken up, Mr.P.Kannan Kumar, learned counsel on record for writ petitioner sought leave of this Court to withdraw captioned main 'Writ Petition' {hereinafter 'WP' for the sake of brevity} but made a plea to preserve rights of the writ petitioner to prefer a Statutory Appeal (subject of course to limitation, if any) under Section 10 of 'the Tamil Nadu Land Encroachment Act, 1905 (Tamil Nadu Act III of 1905)' {hereinafter 'said Act' for the sake of brevity}, saying so, learned counsel has made an endorsement in the case file and a scanned reproduction of the same is as follows:



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32859 ✓
This writ petition no: 32859/2024 may be permitted to withdraw along with WMP no. 35686/24.
P. Perumal.
Counsel for Petitioner
13/11/24
En no: 218/2002

Captioned WP dismissed as withdrawn albeit with preservation of rights in the aforementioned manner/as sought for. Consequently, captioned Writ Miscellaneous Petition thereat also dismissed as withdrawn. There shall be no order as to costs.

(M.S.,J.)

(K.R.S.,J.)

13.11.2024

Index : Yes / No

Neutral Citation : Yes / No

Speaking order / Non-speaking order

mk

P.S.

Learned counsel for writ petitioner requests for return of original impugned order to prefer an appeal / revision. Registry to return the original impugned order forthwith under due acknowledgment to learned counsel for writ petitioner.

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M.SUNDAR, J.,
and

K.RAJASEKAR, J.,

mk

To

1. The District Collector
Erode District
Erode - 638 011.
2. The Tahsildar
Modakkurichi Taluk
Modakkurichi
Erode District - 638 104.
3. The Revenue Inspector
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Modakkurichi Taluk
Erode District.

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