



W.P.No.33871 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.33871 of 2024
and
W.M.P.No.36685 of 2024
in
W.P.No.33871 of 2024

M.Poonkuzhali
W/o. Late M.Godwin

... Petitioner

Vs.

1. The District Collector
District Collectorate
Villupuram - 605 602.
2. The Tahsildar
Melmalaiyanur Taluk
Villupuram District - 604 204.
3. The Block Development Officer
Panchayat Union's Office
Melmalaiyanur Taluk
Villupuram District.

... Respondents

Prayer :

Writ Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records relating to the proceedings of the 1st respondent dated 27.09.2024 in Na.Ka.Aa.5/2354607/2024 wherein he had dismissed the petitioner's appeal

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filed under Section 10 of the Tamil Nadu Land Encroachment Act, 1905, quashing the same and consequently, directing the 1st respondent to allot the petitioner a house site by issuing patta in the land in Survey No.46/5 of Kalathampattu Village, Melmalaiyanur Taluk, Villupuram District - 604 153 where the petitioner is presently residing.

For Petitioner : Mr.K.Elango
For Respondents : Mr.V.Ravi
Special Government Pleader
for R1 and R2
Mr.P.Harish
Government Advocate, for R3

ORDER

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

When the matter was taken up, Mr.K.Elango, 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 revision (subject of course to limitation, if any) under Section 10-A 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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The Petitioner may be permitted
to withdraw the writ with
liberty to file fresh as
per law.
For
13/11/24
Counsel for Petitioner
K. FLANIGAN
A40-536/988

Captioned WP dismissed as withdrawn albeit with preservation of rights in the aforementioned manner/as sought for. Consequently, captioned Writ Miscellaneous Petition thereat also dismissed as withdrawn.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

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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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WEB COPY



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M.SUNDAR, J.,
and

K.RAJASEKAR, J.,

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To

1. The District Collector
District Collectorate
Villupuram - 605 602.
2. The Tahsildar
Melmalaiyanur Taluk
Villupuram District - 604 204.
3. The Block Development Officer
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Villupuram District.

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