



W.P.(MD)No.17936 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

and

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.(MD)No.17936 of 2024

and

W.M.P.(MD)Nos.15387 & 15388 of 2024

Iranian

: Petitioner

Vs.

The Estate Officer,
Ordinance Factory,
Tiruchirappalli.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned proceedings No.OFT/012/Y & E/DEF.Land/2024/05 dated 12.07.2024, on the file of the respondent and to quash the same as illegal and arbitrary and to consequently direct the respondent not to disturb the possession of the petitioner.



W.P.(MD)No.17936 of 2024

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For Petitioner : Mr.B.E.Ashwin Bala Someshwerar

For Respondent : Mr.K.Govindarajan

Deputy Solicitor General of India

O R D E R

[Order of the Court was made by R.SURESH KUMAR, J.]

Learned Counsel for the petitioner wants to withdraw this writ petition seeking liberty to file statutory appeal before the concerned appellate authority within a period of two [2] weeks. He has also made an endorsement in the court bundle to that effect.

2.Recording the same, this Writ Petition is dismissed as withdrawn, with liberty to file a statutory appeal within a period of two [2] weeks from the date of receipt of a copy of this order. If any appeal is filed within the aforesaid period, the same shall be entertained by the appellate authority and decided on merits. However, it is made clear that till the expiry of the two [2] weeks period, no coercive steps shall be taken by the respondent pursuant to the impugned notice.



W.P.(MD)No.17936 of 2024

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3.It is brought to the notice of this Court by the learned Deputy Solicitor General of India who appeared for the respondent that the building in question though has been constructed had not been put in use. Therefore, till the issue is decided by the appellate authority as indicated hereinabove, the building constructed shall not be put in use by the petitioner.

4.With the above liberty and directions, this Writ Petition stands dismissed as withdrawn. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

[R.S.K.,J.] & [G.A.M.,J.]

31.07.2024

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

MR



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To
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R.SURESH KUMAR, J.
and
G.ARUL MURUGAN, J.

MR

ORDER MADE IN
W.P.(MD)No.17936 of 2024

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