



WEB COPY



W.P.No.789 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2025

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR

and

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

W.P.No.789 of 2025

and

W.M.P.No.968 of 2025

1. M.Shanmugam
S/o.P.Munusamy

2. M.Ponnu Vel
S/o.P.Munusamy

... Petitioners

Vs.

1. The Director
Department of Town & Country Planning
CMDA Office Complex, E & C Market Road
Koyambedu, Chennai-600 107.
2. The District Collector
Chennai District
Chennai.
3. The Regional Deputy Commissioner
Greater Chennai Corporation (North Region)
No.945, T.H.Road, Tiruvottiyur
Chennai-600 019.
4. The Executive Engineer
Zone-01, Corporation of Chennai
Thiruvottriyur, Chennai-600 019.



WEB COPY



W.P.No.789 of 2025

5. The Assistant Engineer
Division - 001
Corporation of Chennai
Thiruvottriyur, Chennai-600 019.
6. The Revenue Divisional Officer
North Chennai Revenue Division
Chennai-600 066.
7. The Tahsildar
Tiruvottriyur Taluk
Chennai-600 019.

... Respondents

Prayer :

Writ Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Certiorari, to call for the records pertaining to the impugned notice dated 28.12.2024 made in Na.Ka.No.B1/1852/2024 issued by the 7th respondent and to quash the same.

For Petitioners	:	Mr.C.Prabakaran
For Respondents	:	Mr.V.Ravi, Special Government Pleader for R1, R2, R6 and R7 Mr.Mohammed Ghouse Standing Counsel for R3 to R5

ORDER

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

After some arguments, Mr.C.Prabakaran, learned counsel on record for writ petitioners sought leave of this Court to withdraw the captioned



W.P.No.789 of 2025

main 'Writ Petition' {hereinafter 'WP' for the sake of brevity} and captioned 'Writ Miscellaneous Petition' {hereinafter 'WMP' for the sake of brevity} thereat and made a request to preserve all rights and contentions of writ petitioners to canvass the same in a statutory appeal under Section 10 of 'the Tamil Nadu Land Encroachment Act, 1905 (Tamil Nadu Act III of 1905)' {hereinafter 'said 1905 Act' for the sake of brevity}. To be noted, learned counsel for writ petitioners submits that a notice / order under Section 6 of said 1905 Act has since been issued, saying so, learned counsel has made an endorsement in the case file and a scanned reproduction of the same is as follows:

4
This writ petition and WMP
may be permitted to
withdraw. The writ petition
with liberty to file an
appeal before the appellate
authority.
H. D. J.
Writ Petition
20/11/2025
Cause for Petition
C. Prebharan



W.P.No.789 of 2025

2. It is further to be noted that the first petitioner [M.Shanmugam] is present in Court and first petitioner has also counter signed the endorsement.

3. In the light of the narrative thus far, captioned main WP and captioned WMP thereat are disposed of as withdrawn / closed albeit with preservation of all rights and contentions of writ petitioner for canvassing the same in an intended statutory appeal to R2 under Section 10 of said 1905 Act. There shall be no order as to costs.

(M.S.,J.)

(K.R.S.,J.)

20.01.2025

Index : Yes / No

Neutral Citation : Yes / No

Speaking order / Non-speaking order

mk

Note: Upload forthwith



W.P.No.789 of 2025

WEB COPY

- To
1. The Director
Department of Town & Country Planning
CMDA Office Complex, E & C Market Road
Koyambedu, Chennai-600 107.
 2. The District Collector
Chennai District
Chennai.
 3. The Regional Deputy Commissioner
Greater Chennai Corporation (North Region)
No.945, T.H.Road, Tiruvottiur
Chennai-600 019.
 4. The Executive Engineer
Zone-01, Corporation of Chennai
Thiruvottriur, Chennai-600 019.
 5. The Assistant Engineer
Division - 001
Corporation of Chennai
Thiruvottriur, Chennai-600 019.
 6. The Revenue Divisional Officer
North Chennai Revenue Division
Chennai-600 066.
 7. The Tahsildar
Tiruvottriur Taluk
Chennai-600 019.



WEB COPY



W.P.No.789 of 2025

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

mk

W.P.No.789 of 2025

20.01.2025
(3/3)

Page Nos.6/6