



WEB COPY

CRP.No.960 of 2005



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

CRP.No.960 of 2005
and
CMP.NO.11304 of 2005

Mr. Sittarasu,
Rep. by Power of Attorney
R.Sundar
No.45-B Alandur
Thiruvalluvar Nagar

... Petitioner

Vs.

1.Pandia Raja Raja Sri Mana Veera
Vazha Naden Trust, Rep. by its
Hereditary Managing Trustee
Mana Veera Vazha Nadan Arumuga Pandian
Maana Veera Vazha Nattu Ambala Coodam
Kondikattai, Sattankulam Taluk
Thuthkudy District.

2.Smt.D.Saroja

3.D.Shanmugasundaram

4.V.Saraswathi @ Lily

5.D.Vimala

6.D.Umadevi
[R.2 to R6 represented by their general power of attorney A.Kannan)

7.M.Vilvijayam



8.C.Ananthakumar

9.The Assistant Engineer,
Public Works Department,
Government of Tamilnadu
Chennai-5

... Respondents

Prayer:- Civil Revision Petition is filed under Article 227 of the Constitution of India to call for the records from OS.No.5198 of 2003 on the file of the VII Assistant City Civil Court, Chennai, and set aside the decree dated 10.06.2002 and dismiss the suit and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

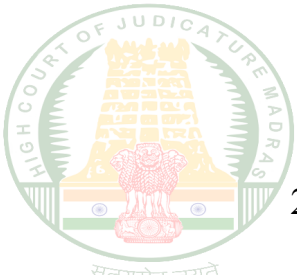
For Petitioner : M/s.T.Balaji

For Respondent : R.1 to R.8 - dismissed,
vide order dated 01.04.2010.

: R.9- N.Muthuvel, Government Advocate

ORDER

The learned counsel for the petitioner seeks permission of this Court to withdraw the above Civil Revision Petition with a liberty to file appropriate petition after disposal of the Civil Appeals in C.A.Nos.5414-5415/2010, C.A.Nos.5423-25/2010 and C.A.Nos.5444-5445/2010 and he has also filed a memo to that effect.



2. A memo dated 03.02.2025 has been filed by the petitioner stating

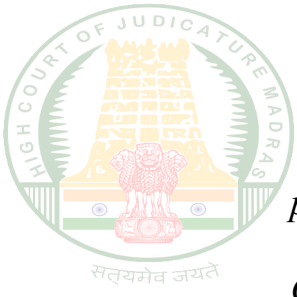
as follows:-

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" 2. In respect of the very same subject matter which is litigated by petitioner and 1st respondent, writ petitions and public interest litigations in W.P Nos 8618 of 2006, 4950 of 2007, 8624 of 2007, 8625 of 2007 and 4950 of 2007 was pending and finally decided by Division Bench of this Hon'ble Court on 5.10.2007.

3. As against the same, petitioner herein and other aggrieved landowners/Developer have preferred SLP before Hon'ble Supreme Court and leave was granted by Hon'ble Supreme Court. The civil appeals in C.A No 5414-5415/2010, 5423-25/2010 and C.A Nos 5444-5445/2010 are pending. Interim orders have been granted and the appeals are being listed for final hearing.

4. In the light of above facts and subsequent events, petitioner seeks leave of this Hon'ble Court to withdraw the above revision petitions with liberty to file appropriate



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petition, after disposal of appeals by Hon'ble Supreme Court of India."

3. The learned counsel for the respondent has no objection to the liberty being granted.

4. In view of the above, this Civil Revision Petition is dismissed as withdrawn granting liberty to the petitioner to file appropriate petition after disposal of the Civil Appeals in C.A.Nos.5414-5415/2010, C.A.Nos.5423-25/2010 and C.A.Nos.5444-5445/2010. The memo dated 03.02.2025 is taken on file. No costs. Consequently, the connected Miscellaneous Petition is closed.

03.02.2025

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

To

1. The Assistant Engineer,
Public Works Department,
Government of Tamilnadu
Chennai-5

2. The VII Assistant City Civil Court, Chennai



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P.T. ASHA. J.,

(shr)

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(5/5)