



WEB COPY



W.P. No.6942 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR
and
THE HONOURABLE MRS. JUSTICE K. GOVINDARAJAN THILAKAVADI

W.P.No.6942 of 2025 & W.M.P. No.7660 of 2025

S. Sivadass

Petitioner

vs.

1. Tamil Nadu Urban Habitat Development Board
represented by its Managing Director
No.5, Kamarajar Salai
Chennai 600 005
2. The District Collector
Chennai Collectorate
Singaravelar Maligai
No.62, Rajaji Salai
Chennai 600 001
3. The Commissioner
Greater Chennai City Corporation
Ripon Building
Chennai 600 003
4. The Tahsildar
Tondiarpet Taluk
Rettai Kuzhi Street
Tondiarpet
Chennai 600 081

5. Illayanar

Respondents

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Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents 1 to 4 to remove the encroachment made by the fifth respondent in the land owned by the first respondent Board comprised in S.No.1806/8, Ward No.53, Block No.001, Tondiarpet Taluk, Chennai, forthwith by considering the petitioner's representation dated 28.01.2025.

For petitioner Mr. K. Sasindran

ORDER

[made by M.SUNDAR, J.]

After some arguments, learned counsel on record for writ petitioner sought leave of this Court to withdraw the captioned main 'writ petition' (hereinafter 'WP' for the sake of brevity) but made a plea to preserve all the rights and contentions of the writ petitioner and/or anyone else concerned with the matter to file a Public Interest Litigation (PIL) on the same subject as writ petitioner is espousing a larger public cause. The following passage from the petitioner's representation dated 28.01.2025 addressed to the official respondents seeking removal of encroachment would demonstrate the fact that the petitioner espouses a larger public cause:



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'I state that now the youth and students residing in our locality are in need of public space for playground and the above mentioned land will be more convenience and suitable for forming a volley ball ground.'

(underlining made by us for ease of reference)

Endorsement made by learned counsel on record for writ petitioner in the case file is as follows:

The writ petition & writ miscellaneous petition may be dismissed as withdrawn with a liberty to file PIL in the same camp of action

By
Cop to petitioner
28/2/2025
K.SASINDRAN



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2. In the light of the narrative thus far, captioned main WP is disposed of as withdrawn/closed albeit with preservation of all rights and contentions of writ petitioner in the aforesaid manner. Consequently, captioned writ miscellaneous petition thereat is disposed of as closed. There shall be no order as to costs.

(M.S., J.) (K.G.T., J.)
28.02.2025

cad
Index : Yes/No
NC : Yes/No



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M.SUNDAR, J.

and

K. GOVINDARAJAN THILAKAVADI, J.

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