

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2025

CORAM

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

W.P.No.9139 of 2025

Chinnasamy

... Petitioner

Vs.

1.The District Collector,
Office of the Collectorate,
Salem, Salem District.

2.The Tahsildar,
Tahsildar Office,
Mettur Taluk, Mettur,
Salem District.

3.N.Jayanthi

... Respondents

Writ Petition filed under Article 226 of The Constitution of India
praying to issue a Writ of Certiorarified Mandamus to call for the
records of the first respondent relating to the impugned proceedings
vide Na.Ka.No.2051312/2024/K2 dated 11.12.2024 and quash the
same and consequently direct the second respondent to restore the

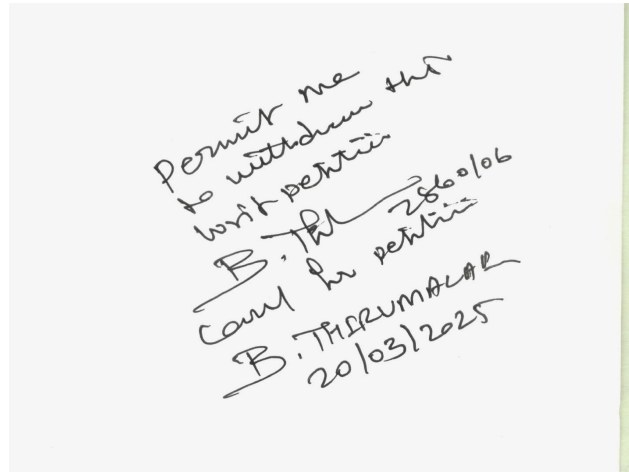
petitioner's land in Survey No.60/1 situated at Pannavadi Village, Thinnapatti, Mettur.

For Petitioner : Mr.B.Thirumalai

ORDER

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

After some arguments, Mr.B.Thirumalai, 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 all the rights and contentions of the writ petitioner to file a statutory revision under Section 10-A of 'The Tamil Nadu Land Encroachment Act, 1905 (Tamil Nadu Act III of 1905)' {hereinafter 'said 1905 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:



Permit me
to withdraw the
writ petition
B. Thirumala 2860/06
and the petition
B. Thirumala
20/03/2025

2. Learned counsel on record for writ petitioner requested for return of the 'original order dated 11.12.2024 bearing reference Na.Ka.No.2051312/2024/K2' (hereinafter 'impugned order' for the sake of convenience and clarity) made by R1 [District Collector, Salem District] so as to enable the writ petitioner to prefer a statutory revision.

3. Registry is directed to return the original impugned order forthwith to the learned counsel on record for writ petitioner under due acknowledgement.

4. Though obvious we make it clear that we have not expressed any view or opinion on the merits of the matter.

5. We preserve all the rights and contentions of the writ petitioner to file a statutory revision under Section 10-A of said 1905 Act together with condonation of delay petition if so advised and so desired. Such condonation of delay petition shall be dealt with on its own merits and in accordance with law by the revisional authority.

6. Captioned WP is disposed of as withdrawn/closed. There shall be no order as to costs.

(M.S.,J.) (K.G.T.,J.)
20.03.2025

Index : Yes / No
Neutral Citation : Yes / No
mmi

To

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2.The Tahsildar,
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Mettur Taluk, Mettur,
Salem District.

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**M.SUNDAR, J.,
and
K.GOVINDARAJAN THILAKAVADI, J.,**
mmi

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