



W.P.No.11498 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.04.2025

CORAM:

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

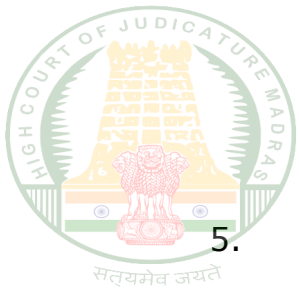
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S. Sivashanmuga Balasubramaniyan
Trustee
Arupathu Moovar Mutt
(Moolanur Muthusamy Gounder Trust)
Opposite to Arulmighu Mahudeswarar
Veeranarayana Perumal Temple
Kodumudi
Erode District

Petitioner

vs.

1. The District Collector
Erode District
Erode
2. The Superintending Engineer
Middle Cauvery Basin Circle
Water Resources Department
Trichy District
3. The Tahsildar
Kodumudi Taluk
Erode District
4. The Assistant Engineer
Public Works Department
Water Resources Department
River Conservation Division
Karur



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5. The Executive Officer
Kodumudi Town Panchayat (Selection Grade)
Kodumudi
Erode District

6. The Executive Engineer
Water Resources Department
River Conservancy Division
Cantonment
Trichy District

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus seeking to dispose the revision petition dated 13.12.2024 filed under Section 10-A of the Tamil Nadu Land Encroachment Act, 1905, filed by the petitioner pending before the 2nd respondent.

For petitioner Mr. S. Arunprasath

ORDER

[made by M. SUNDAR, J.)

After some arguments, Mr. S. Arunprasath, learned counsel on record for writ petitioner, sought leave of this Court to withdraw the captioned 'writ petition' (hereinafter 'WP' for the sake of brevity) as *inter alia* there is nothing to demonstrate that statutory appeal under Section 10-A of the Tamil Nadu Land Encroachment Act, 1905 (Tamil Nadu Act III of 1905) has been filed before the Commissioner of Land



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Administration (hereinafter 'CLA' for the sake of brevity) who has not been arrayed as a respondent. Learned counsel made a fervent request to preserve all the rights and contentions of the writ petitioner to file another writ petition on the same cause *inter alia* with acknowledgment to demonstrate filing before CLA, return by CLA, etc.

2. Request acceded to.

3. A scanned reproduction of the endorsement made by the learned counsel in the case file is as follows:

2/4/25
The Petitioner may be Permitted to
withdraw the writ Petition with liberty
to file fresh writ Petition.

S. Arun Prasad
26/1/25
S. Arun Prasad.



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4. In the light of the narrative thus far, captioned WP stands disposed of as closed/withdrawn albeit with preservation of all rights and contentions in the aforesaid manner. There shall be no order as to costs.

(M.S., J.) (K.G.T., J.)
02.04.2025

cad
Index : Yes/No
NC : Yes/No



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and

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