



WEB COPY



W.P.No.14118 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2025

CORAM

THE HONOURABLE MR.JUSTICE **M.SUNDAR**

and

THE HONOURABLE MRS.JUSTICE **K.GOVINDARAJAN THILAKAVADI**

W.P.No.14118 of 2025

S.Shanmugam

... Petitioner

vs.

1.The Principal Secretary to Government,
Public Works Department,
Secretariat, Fort St. George,
Chennai - 600 009.

2.The District Collector,
Collector's Office,
Nagapattinam.

3.The Engineer-in-chief,
Water Resource Department,
Chepauk, Chennai – 600 009.

4.The Tahsildar,
Taluk Office, Vedaraniyam,
Nagapattinam District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Mandamus directing the respondents to
conduct survey and remove the encroachment in the public water body

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viz., Pungankulam in Survey No.9 measuring 1.99 hectares in Thennadar (West) Village, Vedaraniyam Taluk, Nagapattinam District and consequently direct the respondents to remove the encroachment by considering the petitioner's representation dated 07.12.2023.

For Petitioner : Mr.S.Nambi Arooran

ORDER

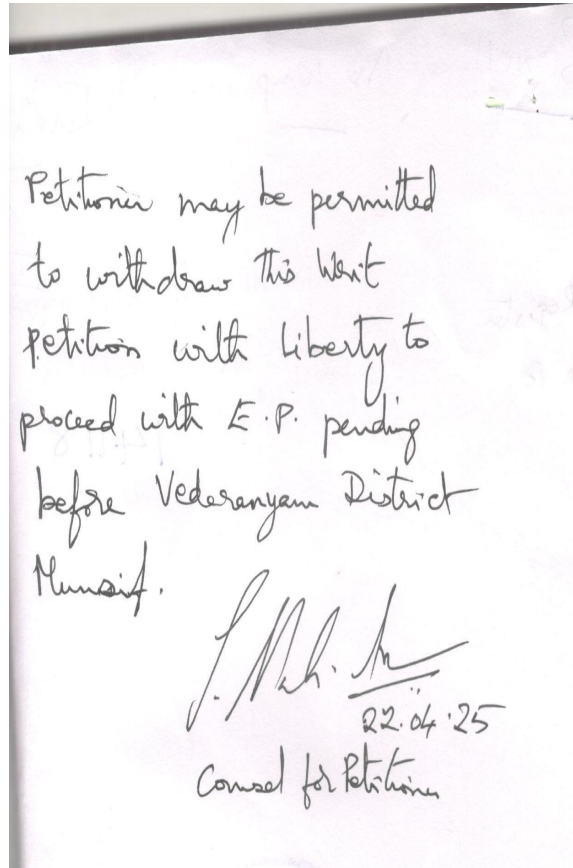
[Order of the Court was made by **M.SUNDAR, J.,**]

After some arguments, Mr.S.Nambi Arooran, 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) but made a plea to preserve all the rights and contentions of the writ petitioner to pursue execution qua judgment and decree dated 29.04.2013 in O.S.No.1 of 2011 on the file of District Munsif cum Judicial Magistrate Court, Vedaranyam. Learned counsel further submitted that the execution petition has already been launched on 01.04.2025. This request of learned counsel is acceded to.



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2. Learned counsel for writ petitioner has made an endorsement in the case file and a scanned reproduction of the same is as follows:



Petitioner may be permitted
to withdraw this writ
petition with liberty to
proceed with E.P. pending
before Vederanyam District
Munsif.

[Signature]
22.04.25
Counsel for Petitioner

3. In the light of the narrative thus far, captioned main WP is disposed of as closed/withdrawn albeit with preservation of rights in the aforesaid manner. Though obvious we make it clear that the



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learned District Munsif cum Judicial Magistrate, Vedaranyam
(Nagapattinam District) shall proceed with the execution on its own
merits and in accordance with law untrammelled by withdrawal of the
captioned WP. There shall be no order as to costs.

(M.S.,J.) (K.G.T.,J.)
22.04.2025

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

To

- 1.The Principal Secretary to Government,
Public Works Department,
Secretariat, Fort St. George,
Chennai - 600 009.
- 2.The District Collector,
Collector's Office,
Nagapattinam.
- 3.The Engineer-in-chief,
Water Resource Department,
Chepauk, Chennai – 600 009.
- 4.The Tahsildar,
Taluk Office, Vedaranyam,
Nagapattinam District.
- 5.The District Munsif cum Judicial Magistrate,
Vedaranyam, Nagapattinam District.

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

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