



W.P.No.25000 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2025

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR

and

THE HONOURABLE MRS.JUSTICE K.GOVINDARAJAN THILAKAVADI

W.P.No.25000 of 2024

and

W.M.P.No.33782 of 2024

S.Namagiri Lakshmi
W/o.S.Shanmugasundaram

...Petitioner

Vs

1. The District Collector
Salem - 636 001
Salem District.
2. The Commissioner
Salem City Municipal Corporation
Fort Main Raod
Salem - 636 001.
3. The Assistant Commissioner
Hasthampatty Zone
Salem City Municipal Corporation
Sarada College Road
Hasthampatty, Salem - 636 007.
4. The Revenue Divisional Officer
Salem (West), Suramangalam
Salem - 636 005.
5. The Thasildar

Page Nos.1/6



W.P.No.25000 of 2024

WEB COPY

Salem (West)
Suramangalam
Salem - 636 005.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 2nd and 3rd respondents to remove all encroachments, unauthorised constructions, ramps and gates put up in Corporation Road, Bharathi Street, New Fairlands, Salem as per the Town Survey records of the year 1980.

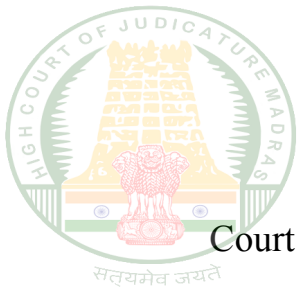
For Petitioner	:	Mr.N.Palanikumar
For Respondents	:	Mr.M.S.Arasakumar Government Advocate for R1, R4 and R5 Ms.N.Devi Standing Counsel, for R2 and R3

ORDER

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

When the matter was taken up, Mr.N.Palanikumar, learned counsel on record for writ petitioner, Mr.M.S.Arasakumar, learned Government Advocate for R1, R4 and R5, Ms.N.Devi, learned Standing Counsel for R2 and R3 and Ms.D.Jeevitha, learned counsel for implead petitioners in W.M.P.No.33782 of 2024 in W.P.No.25000 of 2024 were before us.

2. Learned counsel on record for writ petitioner sought leave of this



W.P.No.25000 of 2024

WEB COPY

Court to withdraw the captioned 'Writ Petition' {hereinafter 'WP' for the sake of brevity, convenience and clarity}. Learned counsel for writ petitioner submitted that a suit in O.S.No.55 of 2024 filed by one P.Giridharan in which, both writ petitioner (Ms.S.Namagiri Lakshmi) and implead petitioners are parties, is pending on the file of III Additional District Munsif Court, Salem and that the suit pertains to the same property which is the subject matter of captioned WP. Learned counsel requested this Court to preserve all rights and contentions of parties to workout their remedies in the civil suit. Saying so, learned counsel has made an endorsement in the case file and a scanned reproduction of the same is as follows:

The writ petition may be
Permitted to withdraw, WP.
& ~~and~~ ~~comp~~ to work out remedy
before appropriate forum.

[Signature]
18/2/2026
N. Palanikumar

3. Learned counsel for implead petitioners also submitted that parties



W.P.No.25000 of 2024

can work out their remedies in the civil suit.

WEB COPY

4. In the light of the narrative thus far, captioned WP is disposed of as closed / withdrawn albeit with preservation of rights and contentions of writ petitioner, implead petitioners and all other parties in O.S.No.55 of 2024 on the file of III Additional District Munsif Court, Salem. Though obvious, we make it clear that the Civil Court shall proceed with the matter on its own merits and in accordance with law untrammelled by this order / withdrawal. Consequently, implead petition is closed. There shall be no order as to costs.

[M.S.,J.]

[K.G.T.,J.]

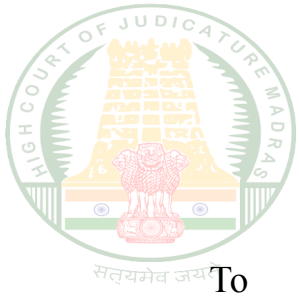
18.02.2025

Index : Yes / No

Neutral Citation : Yes / No

Speaking order / Non-speaking order

mk



W.P.No.25000 of 2024

To
WEB COPY

1. The District Collector
Salem - 636 001
Salem District.
2. The Commissioner
Salem City Municipal Corporation
Fort Main Raod
Salem - 636 001.
3. The Assistant Commissioner
Hasthampatty Zone
Salem City Municipal Corporation
Sarada College Road
Hasthampatty
Salem - 636 007.
4. The Revenue Divisional Officer
Salem (West)
Suramangalam
Salem - 636 005.
5. The Thasildar
Salem (West)
Suramangalam
Salem - 636 005.



WEB COPY



W.P.No.25000 of 2024

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

mk

W.P.No.25000 of 2024

18.02.2025

Page Nos.6/6