



WEB COPY



W.P.No.27542 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2025

CORAM

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

and

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.No.27542 of 2025

M.Kubendiran

... Petitioner

Vs.

1.The District Collector,
Vellore District.

2.The Divisional Engineer,
Highway, K(M)P Office,
Vellore District.

3.Assistant Divisional Engineer,
Highway, K(M)P,
Gudiyatham, Vellore District.

4.The Revenue Divisional Officer,
Gudiyatham, Vellore District.

5.The Tahsildar,
Pernampattu, Vellore District.

... Respondents

Writ Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 to 5 to conduct the survey the Pernampattu to Ambur Sathkar Road in both sides and remove the encroachments made at Balur Village, Vellore District and decide the petitioner's representation dated 11.03.2024

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and pass appropriate orders within stipulated time as may be fixed by this Court.

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For Petitioner : Mr.Nagendra Prasath

ORDER

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

Proceedings under 'The Tamil Nadu Highways Act, 2001 (Tamil Nadu Act 34 of 2002)' {hereinafter 'said Act' for the sake of convenience and clarity} has been initiated and a notice under Section 28 (2) (ii) of said Act has been issued to one Mr.M.Saminathan. Writ petitioner has come to this Court vide captioned 'Writ Petition' (hereinafter 'WP' for the sake of brevity) with RoE (Removal of Encroachment) prayer but though the petitioner is aware of the notice and notice has been enclosed as part of the typed set of papers, Mr.M.Saminathan has not been made a party.

2. Faced with the above situation, learned counsel for writ petitioner sought leave of this Court to withdraw the captioned WP but made a plea to preserve all the rights and contentions of writ petitioner to come back to this Court with same/similar plea or in any other manner on the same issue. Request acceded to.

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

Bench
withdrawn this petition
writ petition with
Liberty to file writ
petition
N.H. 29/07/25
Counsel for petitioner
Nagendra prasad
24/07/2025

4. Captioned WP is disposed of as withdrawn/closed albeit with preservation of rights of the writ petitioner in the aforesaid manner. There shall be no order as to costs.

(M.S.,J.) (H.C.,J.)
29.07.2025

Index : Yes / No
Neutral Citation : Yes / No
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**M.SUNDAR, J.,
and
HEMANT CHANDANGOUDAR, J.,**

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