

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 11.05.2016

CORAM

THE HONOURABLE Mr. JUSTICE N.KIRUBAKARAN
and
THE HONOURABLE Mr. JUSTICE M.V.MURALIDARAN

W.P.No.17722 of 2016

AND WMP Nos.15420 and 15421 of 2016

1. R.Prelamalatha
2. V.Rameshkumar Petitioners

Vs.

1. The Government of Tamil Nadu,
Rep. by Secretary to the Government,
Housing and Urban Development Department,
Fort St. George, Chennai-600 009.
2. The Commissioner,
Coimbatore Corporation,
Coimbatore. Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus forbearing the second respondent herein from taking any action pursuant to the notice of the second respondent herein in Na.Ka.No.5676/2015/MH2, dated 26.02.2016 in respect of the petitioner's building at Door No.5/1, 5/2, 5/3-S.F.No.5/1 Part, Balasubramaniam Nagar, Uppilipalayam Village, Coimbatore, until the application of the petitioner dated 18.03.2016, under the provisions of the Tamil Nadu Town and Country Planning Act, 1971, is disposed of by the first respondent herein.

For Petitioners : Mrs.AL.Ganthimathi

For Respondents : Mr.T.N.Rajagopalan,
Special Government Pleader for R1
Mr.P.V.Selvakumar for R2

O R D E R

[Order of the Court was made by N.K.Kirubakaran, J.]

After hearing the parties, it has been brought to the notice of this Court that already a suit in O.S.No.530 of 2016 has been filed by the petitioners against the second respondent and the same is pending before the District Munsif Court, Coimbatore.

2. At this juncture, learned counsel for the petitioners seeks leave of the Court to withdraw the writ petition and also makes an endorsement to that effect in the petition.

3. Recording the above fact, the petitioner is permitted to withdraw the writ petition. Accordingly, this writ petition is dismissed as withdrawn, without liberty to file writ petition again. No costs. Consequently, connected miscellaneous petitions are closed.

4. However, this order will not stand in the way of pursuing the petitioners' appeal before the authority/first respondent.

Sd/-
Assistant Registrar(VO)

//True Copy//

Sub Assistant Registrar

To

1. The Secretary to the Government,
Housing and Urban Development Department,
Government of Tamil Nadu
Fort St. George, Chennai-600 009.

2. The Commissioner,
Coimbatore Corporation,
Coimbatore.

+lcc tod Mrs.Al.Gandhimathi, Advocate sr.28222
+lcc to R.Sivakumar, Advocate sr.28288

W.P.No.17722 of 2016

rsy(CO)
srg(13/05/2016)