

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 06.06.2016

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P. No.24454 of 2013
and
M.P.No.1 of 2013 and WMP No.12749 of 2016

M/s.Ishvaryam & Co.,
Rep.by its Managing Partner,
P.Devaraj,S/o.G.Palanisamy,
30, Thirukumaran Nagar,
Singanallur,
Coimbatore.

... Petitioner

vs.

1. The District Collector,
Tiruppur District,Tiruppur.
2. The Panchayat President,
Bommanallur Panchayat,
Dharapuram Taluk,Tiruppur District.
3. The Panchayat President,
Arikkaranvalasu Panchayat,
Dharapuram Taluk,
Tiruppur District.
4. The Panchayat President,
Edaikalpadi Panchayat,
Dharapuram Taluk,Tiruppur District.
5. The Panchayat President,
Komarapalayam Panchayat,
Dharapuram Taluk,Tiruppur District.
6. The Panchayat President,
Kilankundal Panchayat,
Dharapuram Taluk,
Tiruppur District.
7. The Panchayat President,
Kongur Panchayat,
Dharapuram Taluk,Tiruppur District.
8. The Panchayat President,
Manakadavu Panchayat,
Dharapuram Taluk,
Tiruppur District.

9. The Panchayat President,
Kalipalayam Panchayat,
Dharapuram Taluk,
Tiruppur District.

10. The Panchayat President,
Ponnivadi Panchayat,
Dharapuram Taluk,
Tiruppur District.

11. The Panchayat President,
Punjaithalaiyur Panchayat,
Dharapuram Taluk,
Tiruppur District.

12. The Panchayat President,
Senapatipalayam Panchayat,
Dharapuram Taluk,
Tiruppur District.

13. The Panchayat President,
Chinnamarudur Panchayat,
Dharapuram Taluk,
Tiruppur District.

14. The Panchayat President,
Erasinampalayam Panchayat,
Dharapuram Taluk,
Tiruppur District.

15. The Panchayat President,
Nallampalayam Panchayat,
Dharapuram Taluk,
Tiruppur District.

16. Mr. Parameswaran
S/o. Subbaiya Gounder,
Kappuchipalayam,
Nanjiyampalayam Village,
Dharapuram Taluk,
Tiruppur District.
(R16 impleaded as per order
dated 19.12.2013 by VDPJ in M.P.No.2/13
in W.P.No.24454 of 2013)

... Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of a writ of mandamus, directing the 1st respondent to issue appropriate directions to the respondents 2 to 16 to desist from interfering with the petitioner's work of erecting and commissioning wind mills for which the petitioner has obtained NOC from TANGEDCO.

For Petitioner : Mr.R.Thiyagarajan, Senior Advocate,
Assisted by Mr.V.G.Anbarasu

For Respondents :
(R16) Mr.R.Ashokan
(R10) Mr.G.Murugendran
(R2, R4 to R11 and R13
and R14) Mr.R.Govindasamy, Spl.G.P

O R D E R

After some arguments, Mr.R.Thiagarajan, learned Senior counsel assisted by Mr.V.G.Anbarasu, learned counsel for the petitioner seeks permission of this Court to withdraw this writ petition with liberty to file fresh Writ Petition, not on the same cause of action but on a different cause of action. He has also made an endorsement in the writ petition to that effect.

2. Though the said submission was opposed by the learned counsel for the 10th respondent, who filed vacate stay petition, this Court in the light of the facts and circumstances, is inclined to grant the request made by the learned senior counsel appearing for the petitioner.

3. Accordingly, in the light of the endorsement made by the learned senior counsel appearing for the petitioner, this Writ Petition is dismissed as withdrawn, with liberty sought for by the petitioner. No costs. Consequently, interim order stands vacated and the Miscellaneous Petition is closed.

Sd/-
Asst.Registrar (CS IV)

/true copy/

सत्यमेव जयते
Sub Asst. Registrar

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To

1. The District Collector,
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16. Mr. Parameswaran
S/o. Subbaiya Gounder,
Kappuchipalayam,
Nanjiyampalayam Village,
Dharapuram Taluk,
Tiruppur District.

1 cc to Government Pleader, Sr. 30208
1 cc to MR.V.G. Anbarasu, Advocate, Sr.29884
1 cc to M/s.G. Murugendran, Advocate, Sr 30276
1 cc to Mr.R. Govindasamy, Advocate, sr. 30387

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