

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.01.2017

CORAM:

THE HONOURABLE MR. JUSTICE B. RAJENDRAN
AND

THE HONOURABLE MR. JUSTICE S.M. SUBRAMANIAM

WRIT APPEAL No.1653 OF 2016

Kanagaraj

... Petitioner/4th Respondent

vs.

1. Coimbatore Hitech Infrastructure Private Ltd.,
rep. by its Vice President,
P. Devaraj, S/o. Palanisamy,
No.365-KGISL Campus,
Thudiyalur Road, Saravanampatti,
Coimbatore - 641 035.
 2. The District Collector,
Coimbatore District,
Coimbatore.
 3. The Block Development Officer,
Sarkarsamakulam Union,
Coimbatore District.
 4. The Panchayat President,
Keeranatham Village Panchayat,
Saravanampatti Post,
Coimbatore District.
 5. The Revenue Divisional Officer,
Coimbatore.
- ... Respondents/Petitioner/
Respondents 1 to 3,5

Writ Appeal filed under Clause 15 of the Letters Patent seeking to set aside the order dated 23.11.2016 made in W.P.No.33360 of 2016. Writ Petition filed under Article 226 of the constitution of India praying that in the circumstances stated herein and in the affidavit filed therewith the High Court will be pleased to issue a writ in the return of mandamus or any other writ or order or direction forbearing the respondents 1 to 3 from anyway interfering with the process of laying road at S.No.289/2B 289/5B 273 277/4 277/7-445 at Keeranatham Village Sarakarasamakulam Union Coimbatore District (in WP.No.33360/2016)

For Petitioner : Mr.K.Myilsamy
For Respondents 2 to 5 : Mrs.A.Srijayanthi
Special Government Pleader

J U D G M E N T

(Judgment of the Court delivered by B.RAJENDRAN,J.)

The impugned order under challenge is not a final order. In fact, the learned Single Judge, after hearing the submissions of the learned counsel on either side, had posted the matter for hearing on 30.11.2016. If the petitioner is really aggrieved by the said order, he ought to have moved the same Court.

2. In the course of arguments, learned counsel for the petitioner sought permission of this Court to withdraw this Writ petition with liberty to the petitioner to approach the same Court in W.P.No.33360 of 2016. He has also made an endorsement in the court bundle to that effect.

3. In view of the above, this Writ Petition is dismissed as withdrawn with liberty to the petitioner to approach the same Court in W.P.No.33360 of 2016. No costs. Consequently, connected C.M.P.No.20473 of 2016 is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To:

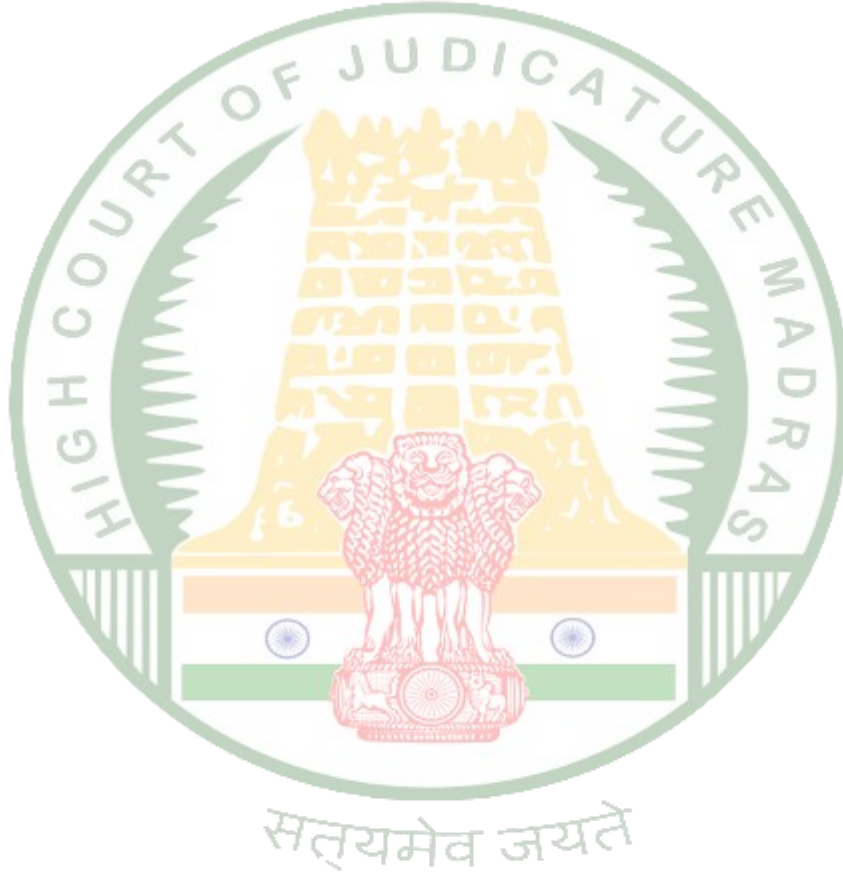
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Coimbatore District.

4. The Revenue Divisional Officer,
Coimbatore.

+1cc to Mr.K. Myilsamy Advocate, S.R.No.2873

skv(CO)
md(07/02/2017)

W.A.No.1653 of 2016



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