

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:4/10/2018

C O R A M

THE HON'BLE MR.JUSTICE S.MANIKUMAR
AND
THE HON'BLE Ms.JUSTICE P.T.ASHA

Writ Petition No.26001 of 2018

T. Thirumalaisamy ..Petitioner

Vs.

1. The Chief Engineer
Non-Conventional Energy Sources
TANGEDCO, II Floor
Eastern Wing
Chennai 600 002.
2. The Superintending Engineer
Non-Conventional Energy Sources
TANGEDCO
Kolumam Road
Udumalpet 642 126.
Tiruppur District.
3. The District Collector
Tiruppur District.
4. The Block Development Officer/
Special Officer
Kundadam Panchayat Union
Nandavanampalayam Village
Dharapuram Taluk
Tiruppur District.
5. M/s. Watsun Infrabuild Private Limited
Having Corporate Office at
No.102 EI Tara Building
Orchard Avenue
Hiranandani Gardens
Powai
Mumbai.
Branch Office at
No.25 B First Floor
Vigensham Lay Out
Gandhi Nagar - II, Udumalpet
Tiruppur District.

..Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of mandamus to direct the respondents 1 to 4 to forbear the fifth respondent from

erection of windmill comprised in S.No.3/2 situated at Nandhavanampalayam Revenue Village, Kungumampalayam, Dharapuram Taluk, Tiruppur District.

For petitioner ... Mr.M.Manohar
For respondents ... Mr.T.N.Rajagopalan
Government Pleader

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O R D E R

(Order of the Court was made by S.MANIKUMAR, J)

Instant writ petition has been filed, praying to direct the respondents 1 to 4, to forbear the fifth respondent, from erecting windmill, in S.No.3/2, situated at Nandhavanampalayam Revenue Village, Kungumampalayam, Dharapuram Taluk, Tiruppur District.

2. Attention of this Court was invited to the another writ Petition No.22231 of 2018, filed by Mr.P.Balasubramaniam, S/o.Mr.Palanisamy, who has filed W.P.No.22231 of 2018, with respect to the very same prayer, sought for, by the petitioner in the instant writ petition and objection being raised for setting up of a wind mill.

3. Entire case papers in W.P.No.22231 of 2018 has been called for and perused.

4. In W.P.No.22231 of 2018, on the directions of the writ Court, an Advocate Commissioner has visited the subject place at S.No.3/2, situated at Nandhavanampalayam Revenue Village, Kungumampalayam, Dharapuram Taluk, Tiruppur District, on 10/9/2018 and submitted a report, dated 24th September 2018, with photographs.

5. In the instant writ petition, petitioner though claimed himself as a Public Interest Litigant, appears to be only vindicating the case of Mr.P.Balasubramaniam, petitioner in W.P.No.22231 of 2018.

6. Mr.M.Manohar, learned counsel for the petitioner seeks permission of this Court, to withdraw the writ petition and he has also made an endorsement to that effect.

7. In view of the endorsement made by the learned counsel appearing for the petitioner, instant writ petition is dismissed as withdrawn. No costs.

MVS

Sd/-
Assistant Registrar (CS-V)

//True Copy//

To

1. The Chief Engineer
Non-Conventional Energy Sources
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4. The Block Development Officer/
Special Officer
Kundadam Panchayat Union
Nandavanampalayam Village
Dharapuram Taluk
Tiruppur District.

+1cc to the Government Pleader, S.R.No.68642

KR/8/11/18

W.P.No.26001 of 2018

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