

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2019

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 8609 of 2019

and

W.M.P. Nos. 9125, 9128 & 9130 to 9133 of 2019

S. Geetha

Y.J.S. Cable Network,
Durgai Amman Koil Street,
3/22, Nochikuppam, Mylapore,
Chennai 600 004.

... Petitioner

Vs.

1. The Secretary,
Government of India,
Ministry of Information and Broadcasting,
'A' Wing Shastri Bhavan, Dr. Rajendra Prasad Road,
New Delhi 110 001.
2. Government of India,
Department of Post,
Rep. By its Post Master,
Mylapore H.P.O.,
Chennai 600 004.
3. M/s. Tamil Nadu Arasu Cable TV Corporation Limited,
Rep. By Managing Director,
"Durga Towers", 6th Floor,
Old No. 34, New No. 123,
Marshalls Road, Egmore,
Chennai 600 008.
4. The Divisional Manager,
Tamil Nadu Arasu Cable TV Corporation,
Chennai (South & Central)
Egmore, Chennai 600 008.
5. Tamil Nadu Slum Clearance Board,
Rep. By its Managing Director,
No.5, Kamarajar Salai,
Chennai 600 005.

6. P. Anitha,
Anitha Cable Vision,
Local Cable TV Operator No. 103233,
No. 42A, Durgaiammam Kovil Street,
Nochikuppam, Kamaraj Road,
Mylapore, Chennai.

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings of the 3rd Respondent in Sa.Order No. B1/2190/2018 dated 28.08.2018 and the consequential order of the 5th Respondent in Na.Ka. No. B5/15000/2018 dated 07.01.2019 and quash the same and consequently, directing the 5th Respondent to extent the lease to supply of cable in Nochinagar in favour of the Petitioner.

For Petitioner : Mr. S. Arunsaravanan
for M/s. Nithyesh Nataraj

For Respondents: Mr. A. Muugan, (For R1 & R2)
Central Government Standing Counsel

Mr. S. Gunasekaran, (For R3 & R4)

Mrs. D. Latha, (For R5)

Mr. M. Madhuprakash, (For R6)

O R D E R

When it is pointed out that the nature of grievance sought to be ventilated by the Petitioner in the Writ Petition falls within the realm of disputed question of facts, which requires to be decided after recording of evidence of the parties on their rival contentions and could not be redressed by invoking the public law remedy following summary procedure under Article 226 of the Constitution, Learned Counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition with liberty to institute suit impleading necessary parties before the jurisdictional Civil Court for the effectual and complete adjudication of the matter. He has also made an endorsement to that effect, which is recorded.

2. Accordingly, the Writ Petition is dismissed as withdrawn, granting such liberty. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-
Assistant Registrar(Insp.cell)

//True copy//

Sub Assistant Registrar

gsa

To

1. The Secretary,
Government of India,
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2. Government of India,
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Rep. By its Post Master,
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5. The Managing Director,
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chennai 600 005.

+1cc to Mr.S. Arunsaravanan, Advocate SR.No.84412

+1cc to Mr.Mrs. D. Latha, Advocate SR.No.83423

W.P. No. 8609 of 2019

RK(CO)
GMY(14/10/2019)