

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2019

CORAM

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

W.P. No. 22520 of 2019
and
W.M.P. No. 21938 of 2019

Mr. A.P. Manoharan ... Petitioner
Vs.

1. The Deputy General Manager,
Indian Oil Corporation Ltd,
Marketing Division,
No.8/1079, Avinashi Road,
Coimbatore - 641 018.

2. Tmt. P. Vijalakshmi
... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to direct the First Respondent to conduct the proper enquiry and take action under clause 6 (viii) and 10 (c) of the OMC guidelines based upon the Petitioner's representation dated 06.02.2018 and also consequential action to redeem and handed over the Petitioner's property measuring about 8 ½ cents situated at "D" Block No. 24, Town Sf.No.16/4C, Virupatchipuram, Dharmapuri District.

For Petitioner : Mr. K. Rajendra Prasad
For Respondents : Mr. Mohamed Fayaz Ali (For

R1)

सत्यमेव जयते

O R D E R

When it is pointed out that the grievance sought to be ventilated by the Petitioner in the Writ Petition were in the nature of private dispute between him and the Second Respondent, 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 before the jurisdictional Civil Court for effectual and complete

adjudication of the matter and he has made an endorsement to that effect, which is recorded.

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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.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

s/d-
Assistant Registrar(CS VIII)

True Copy

Sub-Assistant Registrar

may
To

The Deputy General Manager,
Indian Oil Corporation Ltd,
Marketing Division,
No.8/1079, Avinashi Road,
Coimbatore - 641 018.

+1 CC to Mr. Rajendra Prasad, Advocate sr 65421.

+1 CC to Mr. Mohamed Fayaz Ali, Advocate sr 65298.

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MG (CO)
SP (13/08/2019)

सत्यमेव जयते

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