

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.07.2019

CORAM

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU
W.P. No. 20714 of 2019
and
W.M.P. No. 19878 of 2019

Mrs. S. Radhika

... Petitioner

-Vs-

1. The Secretary to Government,
Health and Family Welfare Department,
Secretariat,
Chennai - 600 009.
2. The Joint Director,
Health and Family Welfare Department,
268, Race Course,
Coimbatore - 641 018.
3. The Deputy Director,
Health and Family Welfare Department,
268, Race Course,
Coimbatore - 641 018.
4. The District Collector,
Office of the District Collector,
Osur Road,
Coimbatore - 641 018.
5. The Principal,
Coimbatore Medical College and Hospital,
Coimbatore - 641 018.
6. The Medical Officer,
Madukkarai Government Hospital,
Madukkarai,
Coimbatore - 641 018.

... Respondents

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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the Sixth Respondent to pay a compensation of Rs.20,00,000/- to the Petitioner for the failure of sterilization operation.

For Petitioner : Mr. S. Saravanan

For Respondents : Mr. M. Karthikeyan,
Additional Government Pleader

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 require 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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.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 Petition is closed. No costs.

Sd/-

Assistant Registrar(insp cell)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

vji

To

1. The Secretary to Government,
Health and Family Welfare Department,
Secretariat,
Chennai - 600 009.
2. The Joint Director,
Health and Family Welfare Department,
268, Race Course,
Coimbatore - 641 018.

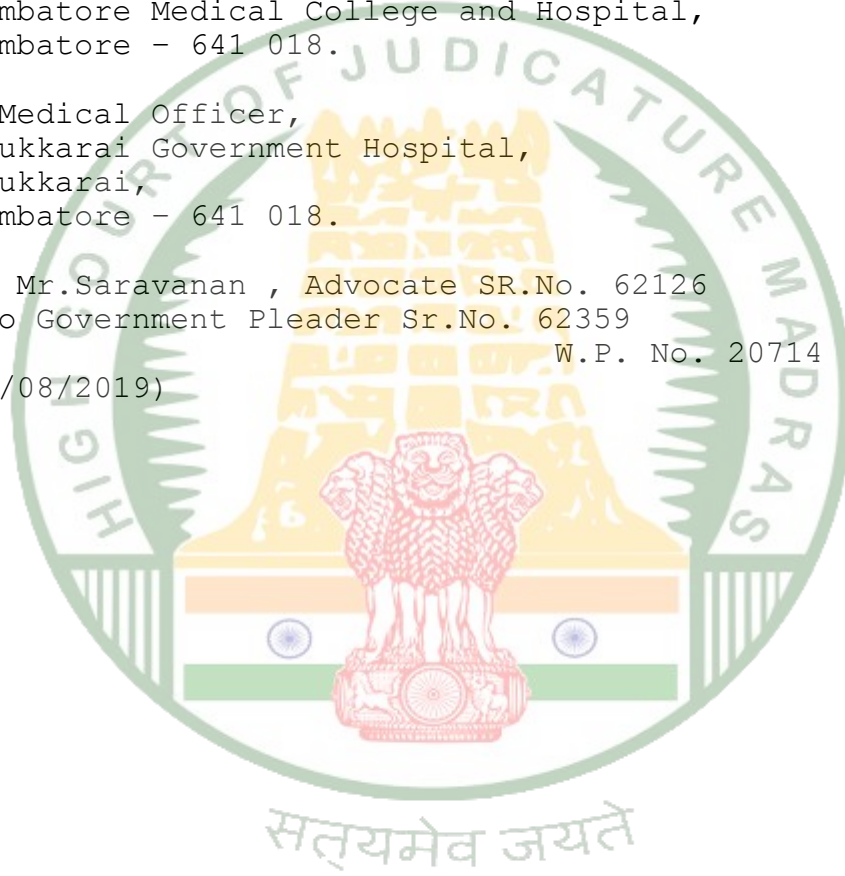
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Coimbatore - 641 018.

+1cc to Mr.Saravanan , Advocate SR.No. 62126

+1 cc to Government Pleader Sr.No. 62359

W.P. No. 20714 of 2019

A.SK(26/08/2019)



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