

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2019

CORAM

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

W.P. No. 2769 of 2018

Rahamathulla

...Petitioner

-Vs-

The District Collector.
Collectorate,
Coimbatore 641 018.

..Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the Respondent to consider the Petitioner's representation dated 30.10.2017.

For Petitioner : Mr. Mathuvanthi Mathavan

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

O R D E R

The Writ Petition has been filed for directing the Respondent to consider the representation dated 30.10.2017 made by the Petitioner. The claim of the Petitioner is that son of the Petitioner was accidentally hit by the Police jeep on 14.08.2013 while he was playing in front of his house and that the child succumbed to injuries when he was taken to hospital. In that backdrop, the Petitioner has made a representation dated 30.10.2017 for granting permission to run tea shop for his livelihood in lieu of monetary compensation.

2. When it is pointed out by the Learned Additional Government Pleader appearing for the Respondent that in view of the Circular No. 1/2010 dated 19.01.2010 issued by the Revenue Administration Department, permission cannot be granted to run tea shop inside any premises belonging to the the Government. Learned Counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition with liberty to approach proper forum seeking compensation for the death of his child. He has also made an endorsement to that effect, which is recorded.

3. Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty. The time spent by the Petitioner in prosecuting this Writ Petition from the date of its filing (06.02.2018) till the date of receipt of copy of this order, shall stand excluded while calculating the period of limitation for making application before the proper forum. No costs.

vji

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To
The District Collector.
Collectorate,
Coimbatore 641 018.

+1cc to Mr.Mathuvanthi Madhavan, Advocate, SR.No.67176/19
+1cc to the Govt.Pleader, Vide Sr.No.66718/19

W.P. No. 2769 of 2018

Kak(28/08/2019)