

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2019

CORAM

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

W.P. No. 26246 of 2019

S.P.Elavarasan

... Petitioner

-vs-

1.The General Manager,
Indian Oil Corporation,
Nungambakkam High Road,
Chennai 600 034

2.The New India Assurance Company Limited,
"Claims Hub", Macmillan House,
Sundaram Finance Building, 2nd Floor,
'B' Block, No.21, Pattulos Road,
Chennai 600 002

3.M/s.Srinivasa Agencies,
(Indane Distributors),
Nos.618-620, T.H.Road,
Tondiarpet, Chennai 600 081

.... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondents herein to pay a compensation of Rs.20.00 lakhs to the Petitioner for the burn injuries sustained by him on 22.07.2015 as per the LPG Dealer' Policy under Section VII-Public Liability pursuant to the representation of the petitioner dated 29.08.2016.

For Petitioner : Mr. S.Saravanakumar
For R1 : Mr. P.S.Siva Subramanian
For R2 : Mr.M.B.Raghavan

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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.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

Sd/-

Assistant Registrar (Insp.cell)

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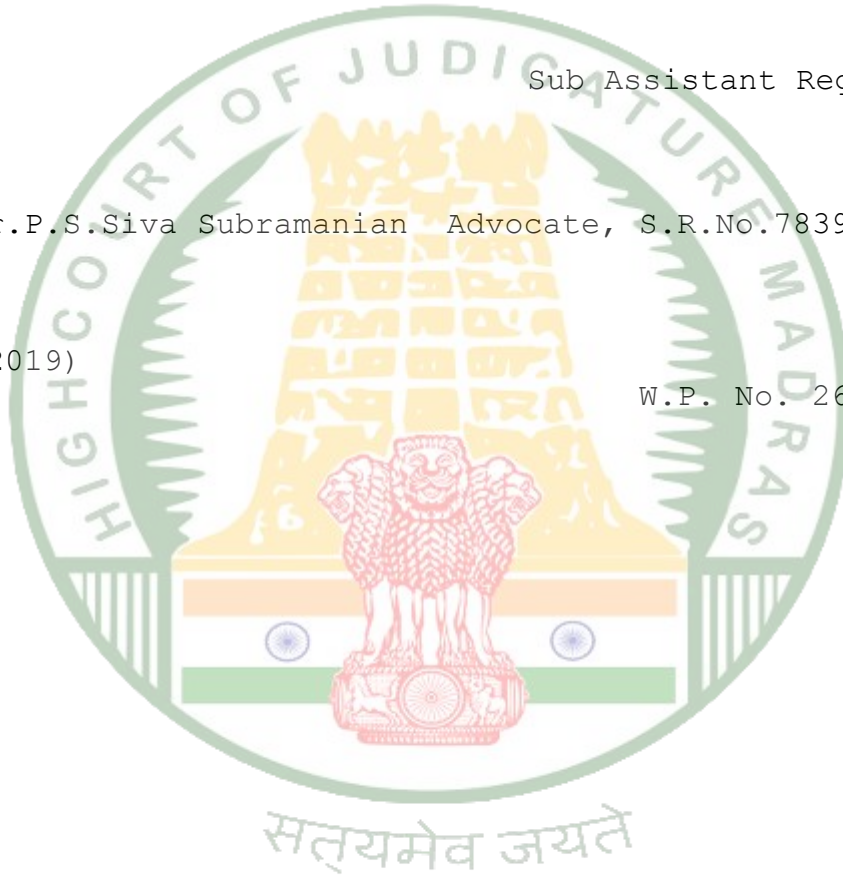
Sub Assistant Registrar

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+1cc to Mr.P.S.Siva Subramanian Advocate, S.R.No.78391

CP(CO)
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