

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.10.2019

CORAM

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

W.P. No. 30700 of 2019

1.Manjula
2.Vinoth Kumar

... Petitioners

-Vs-

- 1.The Secretary
Government of India
Department of Road Transport & Highways.
- 2.Chairman
National Highways Authority of India,
G5 & 6, Sector 10, Dwarka,
New Delhi-110 075
- 3.The Chief General Manager(Tech)
National Highways Authority of India, Regional Office,
4, Laning of Padalur-Trichy Section,
Padalur, Parambalur District
- 4.The Chief of Operation and Maintenance
Indo-Navayuga Infra Projects Private Limited,
4, Laning of Padalur-Trichy Section,
Padalur, Parambalur District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to issue compensation Rs.30,00,000/- (Thirty Lakhs only) to 1st petitioner and Rs.10,00,000/- (Rupees Ten Lakhs only) to 2nd petitioner.

For Petitioners : Mr. J. Milton Arul Rajendran
For Respondents : Mr. G. Karthikeyan
Assistant Solicitor General

O R D E R

When it is pointed out that the nature of grievance sought to be ventilated by the Petitioners 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 effectively redressed by invoking the public law remedy following summary procedure under Article 226 of the Constitution, Learned Counsel for the Petitioners 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 complete and proper 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 Accordingly, the Writ Petition is dismissed as withdrawn, granting such liberty.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)

//True copy//

Sub Assistant Registrar

vsn/maya

To

- 1.The Secretary
Government of India
Department of Road Transport & Highways.
- 2.Chairman
National Highways Authority of India,
G5 & 6, Sector 10, Dwarka,
New Delhi-110 075
- 3.The Chief General Manager(Tech)
National Highways Authority of India, Regional Office,
4, Laning of Padalur-Trichy Section,
Padalur, Parambalur District
- 4.The Chief of Operation and Maintenance
Indo-Navayuga Infra Projects Private Limited,
4, Laning of Padalur-Trichy Section,
Padalur, Parambalur District

+lcc to Mr.G. Karthikeyan, Advocate SR.No.90464

W.P. No. 30700 of 2019

RSV(CO)

GMV(06/11/2019)