

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2019

CORAM

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

W.P. No. 33481 of 2019

A. Saravanan

... Petitioner

Vs.

1.The District Collectr,
Office of the Collectorate,
Udhagamandalam,
The Nilgiris District.

2.The Block Development Office (Panchayat).
Udhagamandalam,
Nilgiris District.

... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India, for issue of Writ of Certiorari Mandamus, calling for the records of the Second Respondent in his proceedings bearing Proc.Rc.B2.No.1234/2017 dated 16.08.2019 (not served on the petitioner) and to quash the same and consequently direct the Second Respondent to make an inspection on the site namely Karimulli to Kodamora Salai and to make proper measurement and disburse the due amount payable by the respondents.

For Petitioner : Mr. G.Ilamurugu

For Respondent 1: Mr.J.Purushothaman
Government Advocate

For Respondent 2: Mr.S.Kamalesh Kannan
Government Advocate

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 questions of fact which require 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 the Petitioner 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 Accordingly, the Writ Petition is dismissed as withdrawn, granting such liberty.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.

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

bkn/vjt
To

- 1.The District Collectr,
Office of the Collectorate,
Udhagamandalam,
The Nilgiris District.
- 2.The Block Development Office (Panchayat).
Udhagamandalam,
Nilgiris District.

+1 CC to Mr. G.Ilamurugu, Advocate sr 106113.
+1 CC to The Spl. Govt. Pleader sr 106773.

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RP(CO)
SP(24/01/2020)

सत्यमेव जयते

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