

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 06.01.2020
CORAM
THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P. No. 28717 of 2019
and
W.M.P. Nos. 28470, 28471 & 34336 of 2019

Venkatapathy ... Petitioner
Vs.

1. The Superintendent of Police,
Thiruvallur District,
Thiruvallur.
2. The Inspector of Police,
Tank Factory Station,
Avadi,
Chennai - 600 062.
3. The Director,
Office of the Director of Technical Education,
Adyar, Chennai - 600 025.
4. The Chairman,
Human Rights Commission,
Greenways Road, Chennai.

[R4 is not a necessary party and
Suo moto deleted as per order dated
30.09.2019 in W.P.No. 28717 of 2019].

5. The Management,
Vel Tech High Tech Dr.Rangarajan
Dr.Sakunthala Engineering College
Vel Tech Road, Avadi, Chennai - 600 062.

(Amended as per order dated
06.01.2020 in W.M.P. No. 34336 of
2019 in W.P. No. 28717 of 2019)

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Fifth Respondent to pay the adequate compensation for the act of commission and omission apart from the misdeed as it is evident on the part of the Fifth Respondent in violation of rules and regulations and that of the procedure at the rate of

Rs.10,00,000/- so as to make the Fifth Respondent to realize the humiliation and harrasment committed by them as against the victim Selvan Purushothaman namely the First Year student of the Fifth Respondent for the academic years 2017 and 2018 under the Roll No. MQ ASN 55069 and to pass further orders.

For Petitioner : Mr. V. Manohar

For First Respondent : Mr. R. Venkatesh,
and Second Respondent Government Advocate

For Third Respondent : Mr. V.Kadhirvelu
Special Government Pleader
[Education]

Fourth Respondent : Already Suo moto deleted as
per order dated 30.09.2019

Fifth Respondent : Mr. S. Thankasivan

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 involves disputed questions of fact, viz-a-viz, the rival claim made by the Petitioner and the Fifth Respondent, which require to be decided after recording of evidence of the parties on their respective 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 before the jurisdictional Civil Court for effectual and complete adjudication of the matter and he has made an endorsement to that effect, which is recorded.

2. Accordingly the Writ Petition is dismissed as withdrawn grating such liberty. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar (CS-VI)

// True Copy //

Sub Assistant Registrar

mfa/maya

To

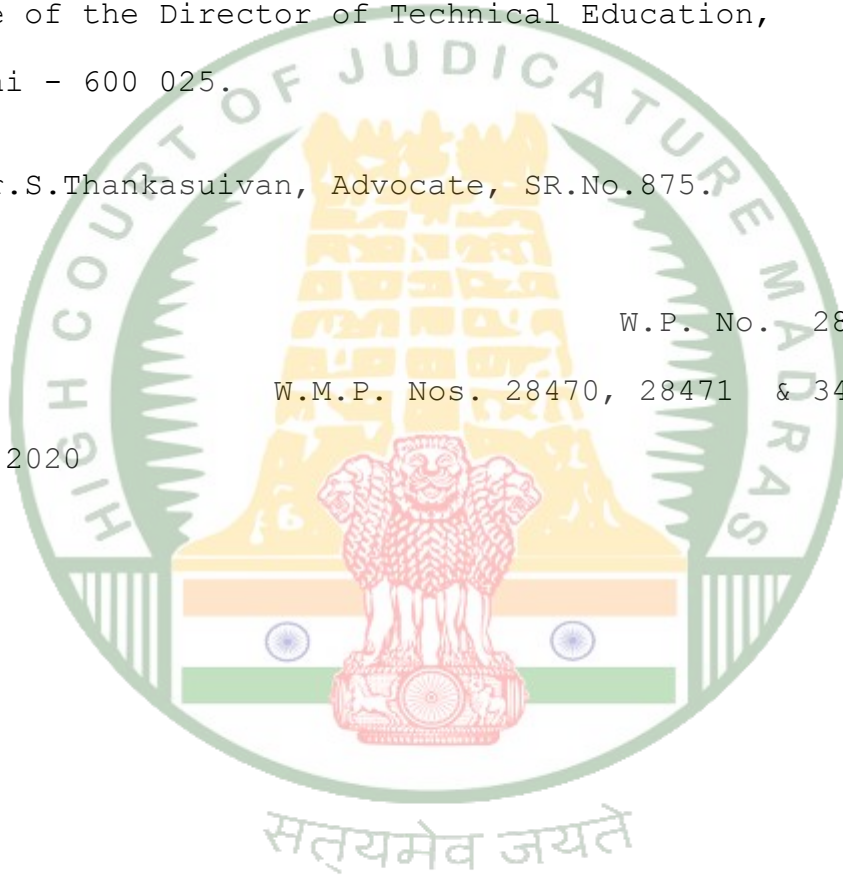
1. The Superintendent of Police,
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Thiruvallur.
2. The Inspector of Police,
Tank Factory Station,
Avadi,
Chennai - 600 062.
3. The Director,
Office of the Director of Technical Education,
Adyar,
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+1cc to Mr.S.Thankasuivan, Advocate, SR.No.875.

W.P. No. 28717 of 2019
and

W.M.P. Nos. 28470, 28471 & 34336 of 2019

RJI (CO)
CSR:24.02.2020



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