

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2020

CORAM

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

W.P. No. 31837 of 2019

M.Ganesan

... Petitioner

Vs.

1. The District Collector
Tiruppur, Tiruppur District.
2. The Sub Collector
Office of the Sub Collector, Tiruppur.
3. The Superintendent Engineer
PWD, Planning & Designs Circle
Chepauk, Chennai - 05.
4. Diamond Theatre, Rep by its Partners
D.No. 438, New No. 302/228
Mangalam Road
Tiruppur - 641 604.
5. M.Muthusamy
6. R.Manoharan
7. D.Thayammal
8. N.Bharath Kumar
9. R.Rajendran
- 10.M.Balasubramaniam

सत्यमेव जयते... Respondents

Petition filed under Article 226 of the Constitution of India, for issue of Writ of Mandamus, directing the Respondents 1 to 3 to include the Petitioner name in the C-Form and E-Form License pertain to Diamond Theatre, situated in New Door No.302/228 in S.F. No.185/2, T.S.No.438/2D/13/3; Door No. 438/2, in Mangalam Road, Tiruppur as per Partnership deed dated 01.05.1994 and sale deed, dated 08.03.1995 and consequently forbearing the First Respondent not to extent their C-Form or E-Form temporary License without including the Petitioner name.

For Petitioner : Mr. Ma.P.Thangavel

For Respondents: Mr. M.Digvijay Pandian (For R1 to R3)
Additional Government Pleader
Mr. P.Elayarajkumar
for M/s. Ramalingam and Associates
(For R4 to R10)

O R D E R

Heard Mr. Ma.P.Thangavel, Learned Counsel for the Petitioner,
Mr. M.Digvijay Pandian, Learned Additional Government Pleader appearing for the First to Third Respondents and Mr. P.Elayarajkumar for M/s. Ramalingam and Associates, Learned Counsel appearing for the Fourth to Tenth Respondents and perused the materials available on record apart from the pleadings of the parties.

2. The Writ Petition has been filed for a direction to the First to Third Respondents to include the Petitioner's name in the C-Form and E-Form License pertain to Diamond Theatre, situated in New Door No.302/228 in S.F. No.185/2, T.S.No.438/2D/13/3; Door No. 438/2, in Mangalam Road, Tiruppur as per Partnership deed dated 01.05.1994 and sale deed, dated 08.03.1995 and consequently, forbearing the First Respondent not to extent their C-Form or E-Form temporary License without including the Petitioner's name.

3. It is pointed by the Learned Counsel appearing for the Fourth to Tenth Respondents that the Petitioner has not challenged the order No. Moo.Mu.No.8737/2018/C1 dated 27.09.2019 passed by the First Respondent and in the absence thereof, the relief sought, which is consequential in nature cannot be granted. In view of that submission made, Learned Counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition with liberty to challenge the aforesaid order and seek other consequential and incidental reliefs and he has made an endorsement to that effect, which is recorded.

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

Sd/-

Assistant Registrar(CS-III)

//True copy//

Sub Assistant Registrar

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To

1. The District Collector
Tiruppur, Tiruppur District.
2. The Sub Collector
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3. The Superintendent Engineer
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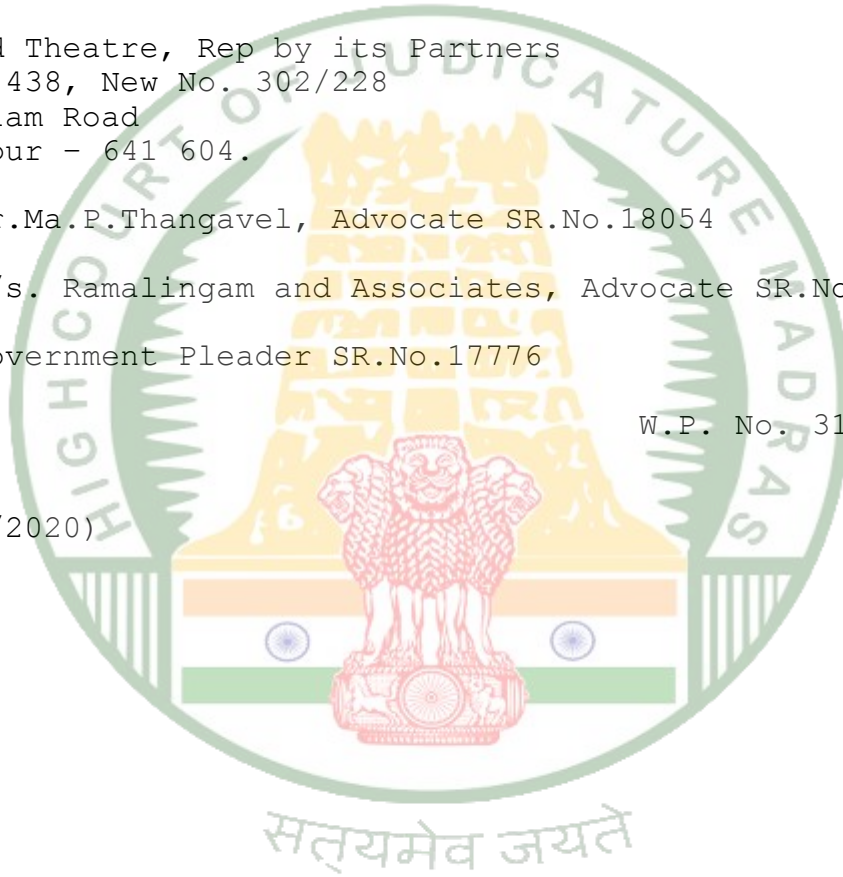
+1cc to Mr.Ma.P.Thangavel, Advocate SR.No.18054

+2cc to M/s. Ramalingam and Associates, Advocate SR.No.17823

+1cc to Government Pleader SR.No.17776

W.P. No. 31837 of 2019

GMV (08/05/2020)



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