



WEB COPY



W.P. No. 28990 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2022

CORAM

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

W.P. No. 28990 of 2022

Dr. S.Uma

... Petitioner

-VS-

1. The Member Secretary
Chennai Metropolitan Development Authority
Thalamuthu Natarajan Building
No.1, Gandhi-Irwin Road
Egmore, Chennai-600 008.
2. The Chairman
Tamilnadu Real Estate Regulatory Authority
I Floor, No.1-A, Gandhi-Irwin Bridge Road
Egmore, Chennai – 600 008.
3. The Commissioner
Villivakkam Panchayat Union
O/o The Commissioner-Villivakkam Panchayat Union
Chennai-Tiruthani Road
No.205, Dobhi Colony
Kamarajarpuram, Ambattur, Chennai-600053.
4. K.Parthiban
5. S.Marimuthu
6. K.Paranthaman
7. K.Ettiyappan

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, to direct the Third Respondent to dispose of the Petitioner representation dated 30.07.2022 based on the direction



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issued by the First Respondent to the Third Respondent through their communication referred as Letter No. Regd./L/7597/2022, dated 30.05.2022.

For Petitioner : Mr. V.Jaishankar

For Respondents : Mr. C.Manoharan (For R1)

Mr. S.J.Mohammed Sadiq
Government Advocate (For R3)

ORDER

Heard Mr. V.Jaishankar, Learned Counsel for the Petitioner, Mr. C.Manoharan, Learned Counsel for the First Respondent and Mr. S.J.Mohammed Sadiq, Learned Government Advocate appearing for the Third Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. 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 relating to title to the property between the Petitioner and Fourth to Seventh Respondents, which requires to be determined after recording of evidence of the parties on rival contentions and could not be effectively redressed by invoking the public law remedy following summary procedure under Article



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226 of the Constitution, Learned Counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition with liberty to file suit before the jurisdictional civil court and he has made an endorsement to that effect in the court record.

In view of the same, the Writ Petition is dismissed as withdrawn grating such liberty. No costs.

03.11.2022

Maya

Index: Yes/No

Note: Issue order copy by 25.11.2022.

To

1. The Member Secretary
Chennai Metropolitan Development Authority
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Egmore, Chennai-600 008.
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P.D. AUDIKESAVALU, J.

Maya

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