



WEB COPY



W.P. No. 32844 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2023

CORAM

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

**W.P. No. 32844 of 2023
and
W.M.P. No. 32470 of 2023**

Laxman Das

... Petitioner

-VS-

1. The Additional Secretary
Tamil Nadu Housing and Urban Development Department
Secretariat, Chennai – 600009.
2. The Commissioner
Coimbatore Corporation
Coimbatore.
3. Mahasin Malik

... Respondent

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Second Respondent to break open the seal and permit the Petitioner to continue his business at Door No.166, Krishnan Street (Edaiyar Street), Coimbatore – 641 001.

For Petitioner : Mr. A.Mohamed Ismail

For Respondents : Mr. U.Baranidharan, AGP (R1)
Mr. K.M.D.Muhilan (R2)



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ORDER

Heard Mr. A.Mohamed Ismail, Learned Counsel for the Petitioner, Mr. U.Baranidharan, Learned Additional Government Pleader, who takes notice for the First Respondent and Mr. K.M.D.Muhilan, Learned Counsel, who takes notice for the Second Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. Having regard to the nature of order proposed to be passed in the Writ Petition, which would not cause any prejudice to the Third Respondent, notice to him is dispensed with.

3. Learned Counsel for the Petitioner submits that since the land owner has already filed an appeal under Section 80-A of the Tamil Nadu Town and Country Planning Act, the Petitioner would implead himself in the said appeal and seek relief as sought in this Writ Petition. In view of the same, he seeks permission of this Court to withdraw the Writ Petition reserving such rights.



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The Writ Petition is dismissed as withdrawn with the aforesaid clarification. Consequently, the connected Miscellaneous Petition is closed. No costs.

22.11.2023

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 31.01.2024.

Maya

To

1. The Additional Secretary
Tamil Nadu Housing and Urban Development Department
Secretariat, Chennai – 600009.
2. The Commissioner
Coimbatore Corporation
Coimbatore.



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P.D. AUDIKESAVALU, J.

Maya

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