



W.P. No. 33634 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2023

CORAM

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

W.P. No. 33634 of 2023

and

W.M.P. No. 33477 of 2023

Makkal Narpani Sangam (SRG/Nammakkal/30/2023),
Represented by its Joint Secretary,
Mr. M.Rajasekar, S/o. Murugesan,
No. 8D, TherkuKattu Kottai,
Tiruchengode,
Namakkal – 637 503.

... Petitioner

-VS-

1. The District Collector,
Namakkal Collector Office,
Namakkal.
2. The Assistant Director of Town Panchayat,
Salem Zone Town Panchayat,
District Collector Campus,
Salem.
3. The Executive Officer,
Special Grade Town Panchayat,
Mallasamuthram,
Namakkal District – 637 503.
4. The Director of Town Panchayat,
Urban Habitat Building,
Near MRC,
Santhome,
Chennai.



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5. M/s. Mallai Aadhma Trust,
D. No. 27/12, Rajaji Street,
Mallasamuthram Post,
Tiruchengode Taluk,
Namakkal District – 637 503.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the First, Second and Fourth Respondents herein from holding the Town Panchayat meeting to select the tenders in Notification NAKA No. 173/2023/A1 dated 25.10.2023 after recusing the President of the Third Respondent and the Trustee of the Fifth Respondent.

For Petitioner : Mr. S.Sivashanmugam

For Respondents : Mr. U.Baranidharan,
Additional Government Pleader
(for R1, R2 & R4)

Mr. M.R.Gokul Krishnan (for R3)

ORDER

Heard Mr. S.Sivashanmugam, Learned Counsel for the Petitioner, Mr. U.Baranidharan, Learned Additional Government Pleader who takes notice for the First, Second and Fourth Respondents and Mr. M.R.Gokul Krishnan, Learned Counsel who takes notice for the Third Respondent and perused the materials placed on record, apart from the pleadings of the parties.



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2. When it was pointed out that the President of Mallasamuthram Town Panchayat, whom the Petitioner wants to be recuse from participating in the tender process, has not been made as party, Learned Counsel for the Petitioner seeks permission of the Court to withdraw the Writ Petition with liberty to file fresh Writ Petition by impleading necessary parties and he has made an endorsement to that effect in the court record.

In fine, the Writ Petition is dismissed as withdrawn granting such liberty. Consequently, the connected Miscellaneous Petition is closed. No costs.

01.12.2023

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 31.01.2024

vjt



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To

WEB COPY

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P.D. AUDIKESAVALU, J.

vjt

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