

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2019

CORAM

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

W.P. No. 12444 of 2019  
and  
W.M.P. No. 12723 of 2019

S. Geetha  
Y.J.S. Cable Network,  
Durgai Amman Koil Street,  
3/22, Nochikuppam, Mylapore,  
Chennai 600 004. .... Petitioner

Vs.

1. Tamil Nadu Slum Clearance Board,  
Rep. By its Managing Director,  
No.5, Kamarajar Salai,  
Chennai 600 005.
2. P. Anitha,  
Anitha Cable Vision,  
Local Cable TV Operator No. 103233,  
No. 42A, Durgaiamman Kovil Street,  
Nochikuppam, Kamaraj Road,  
Mylapore, Chennai. .... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the consequential order of the 1<sup>st</sup> Respondent in Na.Ka. No. B5/15000/2018 dated 29.03.2019 and quash the same and consequently, directing the 1<sup>st</sup> Respondent to extend the lease to supply of cable in Nochinagar in favour of the Petitioner.

For Petitioner : Mr. Arun Saravanan

For Respondents: Mrs. D. Latha, (For R1)

Mr. M. Madhuprakash, (For R2)

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 fall within the realm of disputed question of facts, which requires to be decided after recording of evidence of the parties on their rival 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 impleading necessary parties before the jurisdictional Civil Court for the effectual and complete adjudication of the matter. He has also made an endorsement to that effect, which is recorded.

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 Accordingly, the Writ Petition is dismissed as withdrawn, granting such liberty.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

Sd/-  
Assistant Registrar(Insp.cell)

//True copy//

Sub Assistant Registrar

gsa

To

The Managing Director,  
Tamil Nadu Slum Clearance Board,  
No.5, Kamarajar Salai,  
Chennai 600 005.

+lcc to Mrs. D. Latha, Advocate SR.No.83424

W.P. No. 12444 of 2019

GMV (14/10/2019)

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