



W.P.(MD) No.12097 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.06.2023

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.12097 of 2020

and

W.M.P(MD) Nos.10401 of 2020 and 5204 of 2022

Ganesan

... Petitioner

Vs.

1.The District Collector,
Thanjavur,
Thanjavur District.

2.The Revenue Divisional Officer,
Kumbakonam,
Thanjavur District.

3.The Tahsildar,
Thiruvidaimaruthur Post-612 104,
Thiruvidaimaruthur Taluk,
Thanjavur District.

4.Manikandan
Zonal Deputy Tahsildar,
Thiruvidaimaruthur Post-612 104,
Thiruvidaimaruthur Taluk,
Thanjavur District.

5.Uthamaselvi,
PIO/Deputy Tahsildar,



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Thiruvudaimaruthur Post-612 104,
Thiruvudaimaruthur Taluk,
Thanjavur District.

6.Ramesh

S/o.Renganathan,
No.7, Krishnamanthra,
Dwaragapuri Nagar,
Mahadana Veethi,
Thiruvudaimaruthur Post-612 104,
Thiruvudaimaruthur Taluk,
Thanjavur District.

7.Venugopalan

8.Subramanian

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, forbearing the respondents 1 to 4 from interfering into the petitioner's possession and enjoyment of Old S.F.No.74 (New S.F.No.74/1, 74/2) with an extent of 78 cents of Mahadanapuram Village, Thiruvudaimaruthur Taluk, Thanjavur District, till the disposal of the civil suit in O.S.No.96 of 2014 on the file of the Hon'ble Principal District Munsif Court, Kumbakonam, Thanjavur District.

For Petitioner : Mr.R.Paranjothi



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For R1 to R3 : Mr.A.Sivanupandian
Government Advocate

ORDER

The petition is filed for issuance of writ of mandamus forbearing the respondents 1 to 4 from interfering into the petitioner's possession and enjoyment of Old S.F.No.74 (New S.F.No.74/1, 74/2) with an extent of 78 cents of Mahadanapuram Village, Thiruvudaimaruthur Taluk, Thanjavur District, till the disposal of the civil suit in O.S.No.96 of 2014 on the file of the Principal District Munsif Court, Kumbakonam, Thanjavur District.

2. From the records, it is seen that the petitioner has filed a suit in O.S.No.96 of 2014, pending on the file of the Principal District Munsif Court, Kumbakonam, Thanjavur District. The relief claimed in the said suit is as follows:-

1.இவ்வழக்கின் வாதிக்கு சொந்தமான வாதியின்
அனுபவத்தில் உள்ள தாவா சொத்தினில்
பிரதிவாதிகளோ, அவரது ஆட்களோ, அல்லது அவரது
அதிகாரம் பெற்ற நபர்களோ அத்துமீறி நுழைந்து



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ஆக்கிரமிப்பு செய்வதை தடுத்திட என்று
பிரதிவாதிகளுக்கு எதிராக ஒரு நிரந்தர
உறுத்துக்கட்டளை பரிகாரம் வழங்கியும்

2. வாதிக்கு செலவுத் தொகையை வழங்கவும்

3. இவ்வழக்கில் நீதிமன்றம் கருதும் வாதிக்கு
சாதகமான இன்னும் பிற உத்திரவுகளை வழங்கியும்
வேண்டுமாய் வாதி பணிவுடன் பிரார்த்திக்கிறார்.

3. The suit is filed with reference to the very same property, which is the subject matter of the present writ petition. Therefore, the petitioner cannot seek to have a parallel proceedings by filing this Writ Petition. Hence, this Writ Petition is dismissed. No cost. Consequently, connected miscellaneous petitions are closed.

16.06.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes
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P.T.ASHA, J.

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