

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17-07-2026

CORAM

THE HON'BLE MR JUSTICE C.V. KARTHIKEYAN

AND

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CMP(MD) No. 9124 of 2026

IN

WA(MD) SR NO. 49740 of 2026

N.S.V.K.Virumandi

..Petitioner(s)

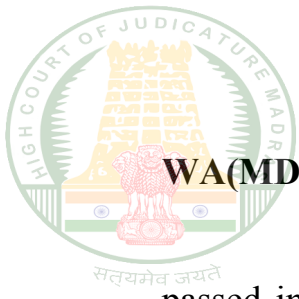
Vs

1. M. Pathirakali
2. The State of Tamil Nadu,
Rep. By, The Superintendent of Police,
Office of the Superintendent of Police,
Madurai District.
3. Th Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Thirumangalam,
Madurai District.
4. The Inspector of Police,
Thirumangalam Town Police Station,
Thirumangalam,
Madurai District.

..Respondent(s)

CMP(MD) No. 9124 of 2026:

Filed under Section 151 of CPC, to Grant Leave enabling the appellant to file this writ appeal against the order in W.P.CRL.(MD)No. 1221/2025 dated 02.09.2025 in the interest of justice.

**WA(MD) No.SR 49740 of 2026:**

-Filed under Clause XV of the Letters Patent, to set aside the order passed in W.P.Crl.(MD)No.1221 of 2025 dated 02.09.2025 on the file of this Court.

For Petitioner(s): Mr.A,K.Amaravel Pandian
for Mr.A.Kannan.

For Respondent(s): Mr.P.Vetrivel (RR2, 3 & 4)
Government Advocate (Crl.side)

ORDER

(Order of the Court was made by C.V.Karthikeyan J.)

The writ appeal has been filed in the nature of intra Court appeal against the order of the learned Single Judge in W.P.(Crl)(MD)No.1221 of 2025 dated 02.09.2025.

2.The writ appeal was filed under Clause 15 of the Letters Patent. It is an established procedure that as against the order of the learned Single Judge in a criminal writ petition, an intra Court appeal does not lie. Appeal can be filed only invoking Article 136 of the Constitution of India seeking special leave to appeal before the Hon'ble Supreme Court.

3.Section 100-A of the Civil Procedure Code has also been introduced which is as follows:

“100A. No further appeal in certain cases.--Notwithstanding anything contained in any Letters Patent for any High Court or in



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any instrument having the force of law or in any other law for the time being in force, where any appeal from an original or appellate decree or order is heard and decided by a Single Judge of a High Court, no further appeal shall lie from the judgment and decree of such Single Judge.”

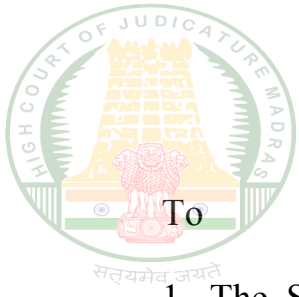
4.It clearly provides that notwithstanding anything contained in the Letters Patent, an appeal against the order of a learned single judge is not maintainable.

5.Learned Counsel for the appellant had forwarded a copy of an order admitting W.A.(MD)No.1770 of 2026 by a Coordinate Division Bench of this Court. However, there is no reference either to the fact whether an appeal against a criminal writ petition could be maintainable as an intra court appeal or to Section 100 -A of the Civil Procedure Code. We are not inclined to state that the appeal is maintainable.

6.This Civil Miscellaneous Petition to grant leave is dismissed. Consequently, the writ appeal stands rejected at the SR itself. There shall be no order as to costs.

(C.V.K.,J.) (R.S.V.,J.)
17-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Madurai District.
2. Th Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police, Thirumangalam,
Madurai District.
3. The Inspector of Police,
Thirumangalam Town Police Station,
Thirumangalam,
Madurai District.



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**C.V.KARTHIKEYAN, J.
AND
R.SAKTHIVEL, J.**

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