

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.12.2015

CORAM

THE HON'BLE Mr. JUSTICE M.M.SUNDRESH

W.P.No.21843 of 2014
& M.P.No.1 of 2014

D.Pazhamalai

... Petitioner

-vs-

1.The Chairman/Special Deputy Collector,
Revenue Court.
Camp at Chidambaram,
Cuddalore District.

2.N.Viruthagiri

3.V.Selvam

... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of Certiorari calling for the records of interim order with respect to C.T.P.No.5 of 2013 on the file of the Chairman-cum-Special Deputy Collector, Revenue Court, Cuddalore District, camp at Chidambaram the 1st respondent herein dated 20.06.2014 and to quash the same.

For Petitioner : Mr.Dalit Tiger C.Ponnusamy

For Respondent-2 : Mr. A. Muthukumar

ORDER

Challenging the interim order passed in CTP No.5 of 2013 by the first respondent, directing the petitioner to pay a sum of Rs.50,592/- based upon the admission made, the present writ petition has been filed.

2. As rightly submitted by the learned counsel for the private respondent/R2, the said order has been passed only as an interim measure and that too only on the admission made by the petitioner. Even otherwise, as against the said order a writ of certiorari would not lie since there is an effective alternative remedy available. Be that as it may, it is submitted that the

petitioner has paid 1/4th of the amount ordered in the impugned order.

3.Learned counsel for the petitioner seeks sufficient time to pay the balance amount.

4. Considering the fact that there is a heavy flood in the District of Cuddalore, this Court deems it fit to permit the petitioner to pay the remaining amount, within a period of three months from the date of receipt of a copy of this order failing which, it is open to the Revenue Court to pass appropriate orders.

5. It is also made clear that this order has nothing to do with the order passed against V. Selvam/3rd respondent in the present writ petition, as the writ petition has been filed only by the petitioner. It is also submitted that the said V.Selvam/3rd respondent has not complied with the order passed by the first respondent. However, it is open to the first respondent to take appropriate action in accordance with law against the alleged defaulter Mr.Selvam/3rd respondent.

The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

smi

To

1.The Chairman/Special Deputy Collector,
Revenue Court.
Camp at Chidambaram,
Cuddalore District.

1 CC to Mr.Dalit Tiger C.Ponnusamy, Advocate SR.No.65745
+ 1 cc to Mr.A.Muthukumar, Advocate Sr 66056 (27/1/16)

rsy(CO)
kra 17.12.2015

W.P.No.21843 of 2014