

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23/2/2016

C O R A M

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

Writ Petition No.6584 of 2012

M. Rajadurai Selvin ... Petitioner

Vs

1. The Presiding Officer/Lok Adalat
Taluk Legal Service Committee
Sub-Court
Poonamallee
Chennai 56.

2. M.A.Rajasekara Pandian ... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of certiorari to call for the entire records of the first respondent dated 30/6/2009 (which is now available with the Sub-Court, Poonamallee in O.S.No.79 of 2003) and quash the same.

For Petitioner ... Mr.V.Bhiman

For respondents ... R.1 - Court
Mr.M.Sriram for R.2.

O R D E R

With the consent of the learned counsel appearing for the petitioner and the second respondent, this writ petition is taken up for final disposal.

2. Heard Mr.V.Bhiman, learned counsel for the petitioner and Mr.M.Sriram for the second respondent.

3. This writ petition has been filed, praying to quash the order passed by the first respondent, dated 30/6/2009.

4. A perusal of the counter affidavit, filed by the second respondent, would disclose the fact that the petitioner has filed a suit in O.S.No.126 of 2012, to declare the settlement deed, dated 4/4/2008, in favour of the second respondent, as null and void, apart from other reliefs.

5. As the issue involved in the present writ petition is also the same and the petitioner having already filed a comprehensive suit in O.S.No.126 of 2012, this Court is not inclined to exercise the discretionary jurisdiction.

6. Accordingly, this writ petition is closed with liberty to exhaust the remedy in the manner known to law. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

mvs.

To

The Presiding Officer/Lok Adalat
Taluk Legal Service Committee
Sub-Court
Poonamallee
Chennai 56.

1 cc to M/s.V. Bhiman, Advocate, Sr. 11304

W.P.No.6584 of 2012

RSK (CO)

kk 10/3

सत्यमेव जयते

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