



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.09.2016

CORAM:

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THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
AND
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P.[MD].No.2272 and 2273 of 2014

and

M.P.(MD).Nos.2 and 2 of 2014

- 1.KUMAR
- 2.MUTHUVEL
- 3.FERNANDES
- 4.PATHINETTAMPADIYAN
- 5.JANATHA
- 6.MALLIKA
- 7.ANNAPOORANI
- 8.KANNU

. . . PETITIONERS IN
BOTH THE WRIT PETITIONS

VS.

1. THE DISTRICT COLLECTOR,
RAMANATHAPURAM DISTRICT.
2. THE DISTRICT REVENUE OFFICER,
RAMANATHAPURAM DISTRICT.
3. THE REVENUE DIVISIONAL OFFICER,
RAMANATHAPURAM DISTRICT.
4. THE TAHSILDAR,
THIRUVADANAI,
RAMANATHAPURAM DISTRICT.
5. RAJENDRAN

6. MARIMUTHU

. . . RESPONDENTS IN
WP (MD) NO.2272/2014

- 1 THE SUPERINTENDENT OF POLICE
RAMANATHAPURAM DISTRICT.
- 2 THE DEPUTY SUPERINTENDENT
OF POLICE THIRUVADANAI
RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE
THONDI POLICE STATION
RAMANATHAPURAM DISTRICT.



3. We have heard the learned counsel appearing for the petitioners, the learned Special Government Pleader appearing for the official respondents and the learned counsel appearing for the respondents 5 and 6.

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4. It is seen from the records that in respect of the very same property, the vendor of the sixth respondent had filed a civil suit in O.S.No.48 of 1995 on the file of the Sub Court, Ramanathapuram, seeking a declaration of title and for consequential relief of permanent injunction restraining the defendants therein from interfering with their possession and enjoyment. The said suit was dismissed by the trial Court and as against the same, the sixth respondent has filed an appeal before the learned Principal District Judge, Ramanathapuram, in A.S.No.111 of 2000. The appellate Court has allowed the appeal on 09.06.2003 and reversed the decree and judgment of the trial Court, thereby granting decree declaring that the vendor of the sixth respondent has got title for the property. As against the same, the defendants therein has filed an appeal before this Court and the same is pending in SR stage. Subsequently, the sixth respondent has purchased the said property by a registered sale deed. In those circumstances, the petitioners have come up with these writ petitions.

5. We do not find any public interest at all in these petitions. Above all, there is already a civil Court decree in favour of the vendor of the sixth respondent, declaring that he has title for these properties. When the civil Court has granted decree and when the same is yet to be agitated in the appeal, the petitioners can work out their remedies before the Civil Court. This Court cannot grant any order in the Public Interest Litigation, which would amount to contradictory order to the decree passed by the Court below. Therefore, we are not inclined to grant any relief as sought for. Both the Writ Petitions are, therefore, dismissed. No costs. Consequently, connected miscellaneous petitions are also dismissed.

Sd/

Assistant Registrar(C.S-I)

/TRUE COPY/

Sub Assistant Registrar

To

1. THE DISTRICT COLLECTOR,
RAMANATHAPURAM DISTRICT.

2. THE DISTRICT REVENUE OFFICER,
<https://hcservices.ecourts.gov.in/hcservices/>
RAMANATHAPURAM DISTRICT.



3. THE REVENUE DIVISIONAL OFFICER,
RAMANATHAPURAM DISTRICT.

4. THE TAHSILDAR,
THIRUVADANAI,
RAMANATHAPURAM DISTRICT.

5. THE SUPERINTENDENT OF POLICE
RAMANATHAPURAM DISTRICT.

6. THE DEPUTY SUPERINTENDENT OF POLICE,
THIRUVADANAI, RAMANATHAPURAM DISTRICT.

7. THE INSPECTOR OF POLICE,
THONDI POLICE STATION,
RAMANATHAPURAM DISTRICT.

8. THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, THIRUVADANAI,
RAMANATHAPURAM DIST.

+1cc to M/S.S.Muthukrishnan, Advocate in SR.No.56802.

+1cc to Special Government Pleader
Madurai Bench of Madras High Court,
Madurai in SR.No.57027.

+1cc to M/S.T.R.Jeyapalam, Advocate in SR.No.56814.

Common Order made in
W.P. [MD] .Nos.2272 and 2273 of 2014
27.09.2016

gcg/msm/ss3/20.10.16/p4/12c