



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:20.04.2017

CORAM:

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THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.A. (MD) No.104 of 2015 &
M.P. (MD) .No.1 of 2015

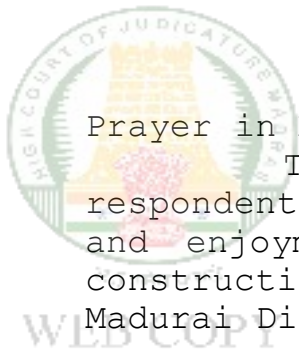
G.Murugesan ...Appellant/Petitioner/Petitioner
Vs.

- 1.The State of Tamilnadu
Rep. by Principal Secretary to Government,
St.George Fort,
Chennai.
- 2.The District Collector,
Madurai District.
- 3.The Superintendent of Police,
Madurai District.
- 4.The Deputy Superintendent of Police,
Samayanallur,
Madurai District.
- 5.The Inspector of Police,
Cholavanthan Police Station,
Madurai District.
- 6.The Block Development Officer,
Mullipallam Panchayath,
Vadipatti Taluk,
Madurai District.
- 7.Seethalakshmi,
President of Mullipallam Panchyath,
Nadu Theru,
Mullipallam,
Cholavanthan,
Madurai District.

8.Raja ...Respondents/Respondents/Respondents

PRAYER: Writ Appeal is filed under Clause 15 of Letters Patent Act against the order dated 08.01.2015 made in M.P.(MD).No.1 of 2014 in W.P.(MD).No.20312 of 2014.

- Vs. -



Prayer in MP(MD). 1/ 2014 in WP(MD).20312/2014 :

To pass an order of Interim Injunction, restraining the respondents and their men from interfering the peaceful possession and enjoyment of petitioner's land by putting up any further construction in S.No.27 in Mullipallam Village, Vaadipatti Taluk, Madurai District.

Prayer in WP(MD). 20312/ 2014 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1 to 3 respondent to take disciplinary action in accordance with law as against 6 to 8 respondents from exercising their official powers unlawfully and to pass appropriate orders and take effective steps to remove the construction made in Petitioner s land in S. No. 27 in Mullipallam Village, Vadipatti Taluk, Madurai District, by 6 to 8 respondents by misusing their powers within stipulated time fixed by this Honourable Court and to take appropriate action as against the 4 to 8 respondents in accordance with law.

For Appellant : Mr.R.Manimaran

For Respondents : Mr.V.Muruganantham for R1 to R5
Additional Government Pleader
No appearance for R6

JUDGMENT

[Judgment of the Court was delivered by T.S.SIVAGNANAM,J]

This appeal is directed against the interim order made in M.P. (MD).No.1 of 2014 in W.P.(MD).No.20312 of 2014. The order sheet shows that even notice was not ordered to the respondents and the matter has been adjourned at the instance of the appellant.

2. The grievance of the appellant is that the Court has virtually non-suited the appellant by making certain observation in the interim order when the writ petition was pending.

3. It is needless to state that an interim order is only interim in nature and will not affect the rights of the parties, unless and until the case is decided finally. Therefore, it is always open to the appellant to canvass all points before the writ Court as and when the writ petition is taken up for disposal.



4. With the above observation, the writ appeal is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

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/True Copy/

Sd/-

Assistant Registrar(C.O)

Sub-Assistant Registrar

To

- 1.The State of Tamilnadu
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- 6.The Block Development Officer,
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Vadipatti Taluk,
Madurai District.

+One cc to mr.R.Manimaran, Advocate, SR.No.52976

+One cc to The Special Government Pleader, SR.No.53422

jikr

RL/9C/3P/MR/4.5.2017

W.A.(MD) No.104 of 2015 &
M.P.(MD).No.1 of 2015