

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 22.09.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. (MD) No.18132 of 2017

Thirupathi Dhanaraja

... Petitioner

Vs.

1. The Municipal Commissioner,
Nagercoil Municipality,
Balamore Road,
Nagercoil - 629 001,
Kanyakumari District.

2.S.Rajamony

3.R.K.Mony

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to permit the petitioner to vacate the premises of the demised building by opening the sealed building for one week and grant such other reliefs.

For Petitioner : Mr.V.A.Dhana Aravindh Balaji
for Dhana Law Associates

For R1 : Mr.P.Athimoolapandian

ORDER

By consent, this writ petition itself is taken up for final disposal. Mr.P.Athimoolapandian, learned Counsel takes notice for the first respondent.

2. According to the petitioner, he was running a Pawn shop in the building owned by the second respondent in Door No.2/31, Nagarajakoil South Car Street, 1st Floor, Nagercoil. Pursuant to the direction of this Court in W.P(MD)No.6789 of 2014 dated 17.07.2017, the first respondent sealed the building in question and it is the case of the petitioner that he was not given an opportunity to get back all his records and other



articles inside the safe locker of the building. In this regard, he approached the first respondent several times, but all his efforts ended in vain and aggrieved thereby, the petitioner is before this Court with the aforesaid prayer.

3. This Court is of the view that this writ petition itself is not maintainable, since the Hon'ble Division Bench of this Court, in W.P(MD)No.6789 of 2014 had already passed final orders in this matter on 17.07.2017, to keep the building in question under lock and seal.

4. Hence, this Court is not inclined to entertain this petition and the same is dismissed accordingly, leaving it open to the petitioner to approach the Division Bench for any grievances. No costs.

Sd/-

Assistant Registrar(AD-II)

/True Copy/

Sub Assistant Registrar

To

The Municipal Commissioner,
Nagercoil Municipality, Balamore Road,
Nagercoil - 629 001,
Kanyakumari District.

+ 1 cc TO Mr.R.Raguvaran , Advocate in SR No. 81190

gk

AE/KP/SAR3/10.10.2017/2P/3C

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22.09.2017