

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.09.2018

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.10245 of 2017
and
WMP No.11192 of 2017

Arulmigu Seetharama
Anjaneya Swamy Koil
rep.by its Executive Officer

..Petitioner

Vs.

1.The Special Tahsildar,
Urban Settlement,
Gudiyatham-632 602.

2.Sampath

3.Balu

4.Gudiyatham Municipality
rep.by its Commissioner,
Gudiyatham-632 602
Vellore District.

5.The Commissioner,
HR&CE Department,
Chennai.

6.The Joint Commissioner,
HR&CE, Vellore.

(R5 & R6 are impleaded as per the order of this
Court dated 04.12.2017)

..Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent not to proceed further in the matter pursuant to the petition of the respondents 2 and 3 based on the judgment and decree in O.S.No.114/2016 dated 27.01.2017 on the file of the District Munsif Court.

For Petitioner	: Mr.A.U.Ilango
For R1	: Mr.V.Jayaprakash Narayanan, SGP
For R2 & R3	: Mr.T.Dhanyakumar
For R5 & R6	: Mr.M.Maharaja, SGP

ORDER

Heard all the counsels and perused the records.

2.The prayer made in this writ petition seeking a direction to the first respondent not to proceed further, pursuant to the petition filed by the respondents 2 and 3, based on the judgment and decree dated 27.01.2017 passed by the Additional District Munsif Court, Vellore in O.S.No.114 of 2016, is omnibus in nature.

3.However, this Court is inclined to direct the first respondent to consider the petition filed by the respondents 2 and 3, if it is pending and pass appropriate orders, on merits and in accordance with law and also in the light of the aforesaid civil court decree, after affording an opportunity of personal hearing to the petitioner, respondents 2 and 3 as well as any other necessary parties, within a period of six weeks from the date of receipt of a copy of this order.

4.Accordingly, this writ petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

1.The Special Tahsildar,
Urban Settlement,
Gudiyatham-632 602.

2.The Commissioner,
HR&CE Department,
Chennai.

3.The Joint Commissioner,
HR&CE, Vellore.

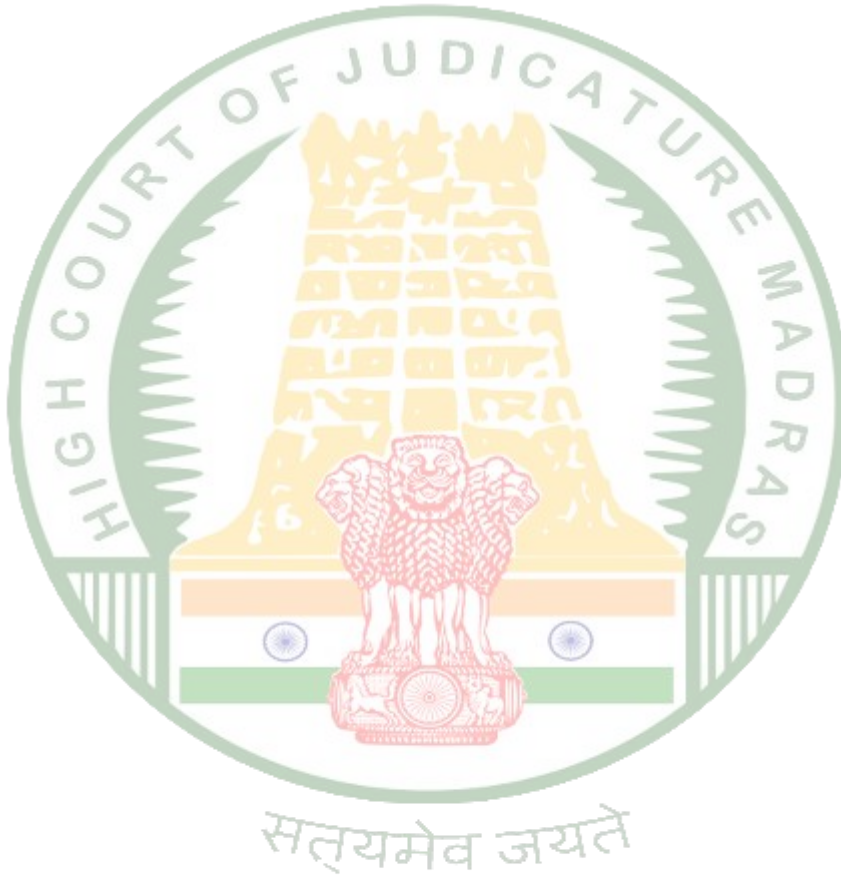
4. The Commissioner,
Gudiyatham Municipality
Gudiyatham-632 602
Vellore District.

5. The Addl. District Munsif Court, Vellore.

+lcc to Mr.A.U.Ilango, Advocate S.R.No.64214
+lcc to Mr.T.Dhanyakumar, Advocate S.R.No.64297
+lcc to the Spl.Govt. Pleader (HR &CE), S.R.No.65142
+lcc to the Govt. Pleader, Sr 64599

KR/2/11/18

W.P.No.10245 of 2017



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