



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.03.2018

CORAM :

THE HONOURABLE MR. JUSTICE V. BHARATHIDASAN

Writ Petition(MD) No.4615 of 2018

and

W.M.P (MD) Nos.4692 and 4693 of 2018

1.M.Magendran

2.M.Pushpanathan

... Petitioners

Vs.

1. The District Collector,
Thanjavur District, Thanjavur.

2 .The Tahsildar,
Papanasam Taluk, Thanjavur District.

3. The Zonal Deputy Tahsildar,
Papanasam Taluk, Thanjavur District.

4. The Zone Revenue Inspector,
Ayyampettai, Thanjavur District.

5. The Inspector of Police,
Ayyampettai Police Station,
Papanasam Taluk, Thanjavur District.

6. The Village Administrative Officer,
Vaiyacherri Post, Papanasam Taluk,
Thanjavur District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus, to call for the records pertaining to the peace Committee Meeting constituted by the second Respondent in his proceedings Pa.Ve.No.992/18/A5 dated 19.02.2018 and the consequential order thereon and quash the same as illegal ultravires and unconstitutional and against law.

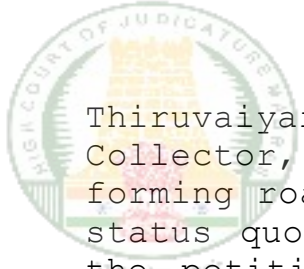
For Petitioners	: Mr.D.Rajagopal
For Respondents	: Mr.M.Rajarajan, Government Advocate.

ORDER

This writ petition has been filed challenging the notice issued by the Tahsildar, Papanasam Taluk, the second respondent herein for conducting peace committee meeting to form road to a cremation ground.

<https://hcservices.ecourts.gov.in/hcservices/>

2.Admittedly, the petitioners have already filed a civil suit in O.S.No.131 of 2015 before the District Munsif Court,



Thiruvaiyaru for permanent injunction restraining the District Collector, Thanjavur and the Tahsildar, Papanasam Taluk from forming road and the Civil Court has also granted interim order of status quo in I.A.No.445 of 2015 on 16.03.2017. The grievance of the petitioners is that despite the said order, the Tahsildar, Papanasam Taluk has issued a notice for conducting peace committee meeting for formation of road to the cremation ground. Since the petitioners have already approached the Civil Court and obtained an interim order, hence, they cannot maintain this writ petition. Accordingly, the writ petition is dismissed. However, if the Civil Court order is violated, it is always open to the petitioners to approach the Civil Court seeking to get appropriate relief, if they are so advised. No costs. Consequently, W.M.P (MD) Nos.4692 and 4693 of 2018 are closed.

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Thanjavur District, Thanjavur.
2. The Tahsildar,
Papanasam Taluk, Thanjavur District.
3. The Zonal Deputy Tahsildar,
Papanasam Taluk, Thanjavur District.
4. The Zone Revenue Inspector,
Ayyampettai, Thanjavur District.
5. The Inspector of Police,
Ayyampettai Police Station ,
Papanasam Taluk, Thanjavur District.
6. The Village Administrative Officer,
Vaiyacherri Post, Papanasam Taluk,
Thanjavur District.
7. The District Munsif, Thiruvaiyaru.

+1cc to Mr.D.Rajagopal, Advocate Sr.No.53551

+1cc to Spl.Government Pleader Sr.No.53040

SMS

VB/JC/SAR2/22.03.2018/2P/10C

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and

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