



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.10.2018

CORAM:

WEB COPY

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA
AND

THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

W.A(MD)No.1486 of 2018

and

C.M.P(MD)No.10597 of 2018

D.Thirugnanasambandam ... Appellant/3rd Party

Vs.

1.D.Muthukaruppa Pillai @ Velayutham
... 1st Respondent/Writ Petitioner

2.The District Collector,
Thoothukudi District,
Thoothukudi.

3.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

4.The Revenue Divisional Officer,
Thoothukudi Revenue Division,
Thoothukudi.

5.The Tashildar,
Srivaikundam Taluk,
Thoothukudi District,
Thoothukudi.

6.The Deputy Superintendent of Police,
Srivaikundam Sub-Division,
Thoothukudi District,
Thoothukudi.

7.The Inspector of Police,
Eral Police Station,
Srivaikundam Taluk,
Thoothukudi District.

... Respondents 2 to 7/
Respondents 1 to 6

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent
against the order, dated 30.05.2018 made in W.P(MD)No.11531 of
2018, on the file of this Court.

Prayer in WP(MD). 11531/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of mandamus directing the respondents to consider the representation of the petitioner dated 17.05.2018 and pass appropriate orders as per law.

For Appellant : Mr.K.K.Samy

For R - 1 : Mr.M.Ramamoorthy

For RR 2 to 7 : Mrs.J.Padmaavathi Devi,
Special Government Pleader.

JUDGMENT

(Judgment of the Court was delivered by
PUSHPA SATHYANARAYANA, J.)

This Writ Appeal is directed against the order, dated 30.05.2018 passed in W.P(MD)No.11531 of 2018.

2. The said Writ Petition was filed by the first respondent/writ petitioner seeking a Writ of Mandamus, directing the respondents to consider the representation of the petitioner, dated 17.05.2018 and pass appropriate orders as per law.

3.The said representation relates to seek permission to perform pooja in the Temple in the light of the decree passed in O.S.No.133 of 2007 by the District Munsif Court, Srivaikundam, dated 23.03.2011.

4. By order dated 30.05.2018, the said Writ Petition was disposed of by this Court directing the respondents 4 and 5, who are the Tahsildar and Deputy Superintendent of Police, to consider the representation, dated 17.05.2018 in the light of the Judgment rendered above, after affording an opportunity in person to the first respondent/writ petitioner.

5. Aggrieved over the order passed by the learned Single Judge, the present Writ Appeal is filed by the appellant/third party.

6. Heard the learned counsel appearing on either side and perused the materials available on record.

7. It is now stated that pursuant to the direction issued by this Court in W.P(MD)No.11531 of 2018, the authorities had passed an order on 16.10.2018.

8. Be that as it may, now the present appeal is filed by one Thiruganapasanbandam, Son of Muthukaruppa Pillai, who is the third party to the Writ Petition seeking leave of this Court to challenge the order passed in W.P(MD)No.11531 of 2018.



9. As the order passed by the learned Single Judge had already been complied with by the respondents 4 and 5 therein in proceedings in Na.Ka.No.A4/874/2018, dated 16.10.2018, nothing survives to be challenged in the Writ Appeal by the third party. Any parties aggrieved by the order passed by the Tahsildar, dated 16.10.2018, the aggrieved person may challenge the same in the manner known to law.

10. The Writ Appeal is, therefore, dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS-IV)

To

- 1.The District Collector,
Thoothukudi District, Thoothukudi.
- 2.The Superintendent of Police,
Thoothukudi District, Thoothukudi.
- 3.The Revenue Divisional Officer,
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Thoothukudi.
- 4.The Tashildar,
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Thoothukudi District, Thoothukudi.
- 6.The Inspector of Police,
Eral Police Station,
Srivaikundam Taluk,
Thoothukudi District.

+1 CC To MR.K.K.SAMY, Advocate SR. NO. 91474

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