



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.10.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P.(MD) No.21200 of 2018

and

W.M.P.(MD)No.19048 of 2018

M.Nallasivan

... Petitioner

vs.

1. The District Collector,
Tirunelveli District, Tirunelveli.

2. The District Officer,
Department of Adi Dravidar Welfare,
Tirunelveli, Tirunelveli District.

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

4. The District Head Land Surveyor,
Collectorate Campus,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of Mandamus directing the respondents particularly the first respondent to consider the representation of the petitioner dated 02.08.2018 and dispose of the same on merits and in accordance with law within a time frame as specified by this Court.

For Petitioner : Mr.S.Palani Velayutham

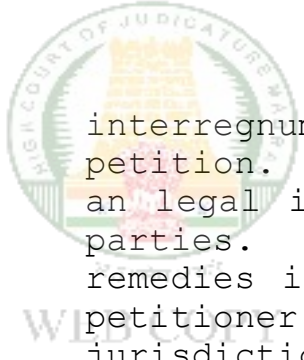
For Respondents: Mr.C.M.Marichelliah Prabhu

Additional Government Pleader

O R D E R

The subject matter of the writ petition is an issue before the competent civil Court in O.S.No.383 of 2018, which was filed by the petitioner for permanent injunction.

2. When the suit is pending before the competent civil Court, it is not open to the petitioner to approach this Court in the



interregnum and seek the relief as prayed for in the writ petition. Any order to be passed in the writ petition will have an legal implication in the pending litigation in respect of the parties. It is always open to the petitioner to seek appropriate remedies in the pending suit and it is certainly not open to the petitioner to approach this Court by invoking its extraordinary jurisdiction under Article 226 of the Constitution of India.

3. For the reasons stated above, this Court is of the view that the Writ Petition is not maintainable and therefore, the same is dismissed. No costs. Consequently, the connected Miscellaneous Petition is also dismissed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar (CS-)

To

1. The District Collector,
Tirunelveli District, Tirunelveli.
2. The District Officer,
Department of Adi Dravidar Welfare,
Tirunelveli, Tirunelveli District.
3. The Superintendent of Police,
Tirunelveli District, Tirunelveli.
4. The District Head Land Surveyor,
Collectorate Campus,
Tirunelveli District.

+ 1 CC TO Mr.S.PALANI VELAYUTHAM, ADVOCATE IN SR No. 90356
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 90194

SSL

TE/RSK/SAR-1 : 30/10/2018 : 2P/7C

W.P. (MD) No.21200 of 2018
10.10.2018