

In the High Court of Judicature at Madras

Dated : 25.2.2019

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM

and

The Honourable Mrs.Justice V.BHAVANI SUBBAROYAN

CMP.Nos.17004 and 17005 of 2018 &
WA.SR.Nos.68149 and 68153 of 2018

Stalin Cottage Kadai Urimaiyalargal
Sangam rep.by its Secretary P.Sangili

...Petitioner/
Appellant

Vs

1.I.Sridharan

...R1 in CMP.No.
17004/2018 & WA.
SR.No.68149/18

2.P.Rajendran

...R2 in CMP.No.
17005/2018 in WA.
SR.No.68153/18

3.The Principal Secretary &
Commissioner of Land
Administration, Chennai-5.

4.The District Collector, Dindigul
District, Dindigul.

5.The Tahsildar, Dindigul West,
Dindigul District.

6.Church of South India Trust
Association, Diocese of Madurai
Ramnad rep.by its Treasurer
Madurai-1

...R2 to R5 in both
CMPs & Was

PETITIONS under Section 151 of the Civil Procedure Code seeking to grant leave to the petitioner to file writ appeals against the common interim order dated 31.7.2018 in WP.Nos.11010 and 11011 of 2018.

APPEALS under Clause 15 of the Letters Patent against the common interim order dated 31.7.2018 in W.P.Nos.11010 and 11011 of 2018.

For Petitioner/Appellant : Mr.Natarajan for Mr.A.V.Arumugam
For Respondent-1 in the respective CMPs/WAs : Mr.S.Anburaja

COMMON JUDGMENT
(Judgment was delivered by T.S.SIVAGNANAM,J)

We have heard Mr.Natarajan, learned counsel appearing on behalf of Mr.A.V.Arumugam, learned counsel on record for the petitioner and Mr.S. Anburaja, learned counsel appearing for the first respondent in the respective cases.

2. The main writ appeals are directed against the common interim order passed in W.P.Nos.11010 and 11011 of 2018 dated 31.7.2018.

3. Mr.Natarajan, learned counsel for the petitioner would contend that the order passed by the learned Single Judge, is, in effect, a final order in the writ petitions and therefore, the petitioner has approached this Court seeking leave to file writ appeals against the said order dated 31.7.2018. It is further submitted that the petitioner herein filed two miscellaneous petitions in WMP. Nos.21534 and 21535 of 2018 for impleading themselves as party respondents in the main writ petitions and in the said miscellaneous petitions,

notice was ordered on 31.7.2018.

4. We have gone through the order impugned before us and we find that it is an interim order. Therefore, the present appeals against such order are not maintainable, more so when the petitioner themselves sought for impleadment in the said writ petitions by filing miscellaneous petitions and in those miscellaneous petitions, notice has already been ordered. Therefore, the proper course for the petitioner is to approach the learned Single Judge to move the miscellaneous petitions for impleadment and obtain orders from the Writ Court.

5. Accordingly, these petitions are disposed of with a direction to the Registry to list WMP.Nos.21534 and 21535 of 2018 respectively in WP.Nos. 11010 and 11011 of 2018 before the concerned learned Single Judge so as to enable the petitioner/appellant to pursue their remedies. Accordingly, the writ appeals are rejected at the SR stage. No costs.

सत्यमेव जयते

25.2.2019

Internet : Yes

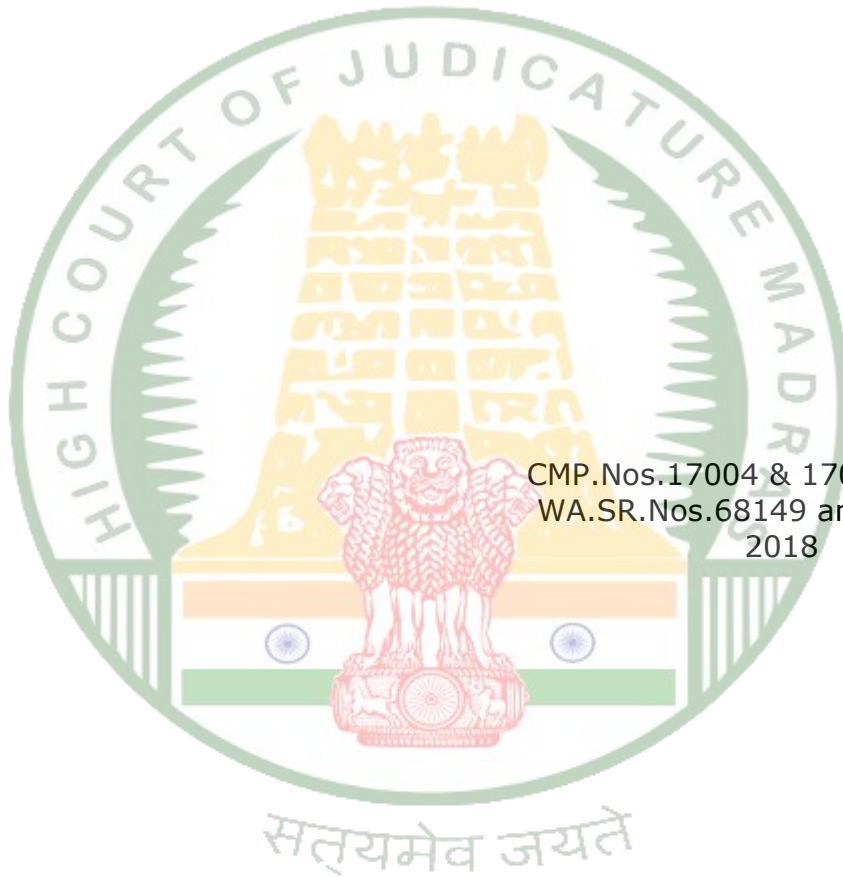
To

- 1.The Principal Secretary & Commissioner of Land Administration, Chennai-5.
- 2.The District Collector, Dindigul District, Dindigul.
- 3.The Tahsildar, Dindigul West, Dindigul District.

RS

T.S.SIVAGNANAM,J
AND
V.BHAVANI SUBBAROYAN,J

RS



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2018

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