



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 08.05.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.[MD]No.11862 of 2019

AND W.M.P. (MD) No.8961 of 2019

V.Pandiyarajan

: Petitioner

Vs.

1.The District Collector
Madurai
Madurai District.

2.The Tahsildar,
Madurai East Taluk
Madurai District.

3.The Block Development Officer,
Madurai East Panchayat Union,
Madurai.

4.V.Sukila

5.A.Srinivasan

6.Siddarth

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus to direct the respondents 1 to 3 from proceeding against the property of the petitioner in S.No.81/1A1 and 90/3B measuring about 46880 sq.ft. In Plot Nos.46 to 50 and 55 to 60 situated at Rajakambeeram Village, Madurai East Taluk, Madurai, in the light of the proceedings of the respondents 2 and 3 dated 08.06.2018 and 25.04.2019 issued for the removal of encroachment in respect of S.No.81/1A2 based on the representation of the petitioner dated 18.05.2018 and 30.10.2018.

For Petitioner
For Respondents

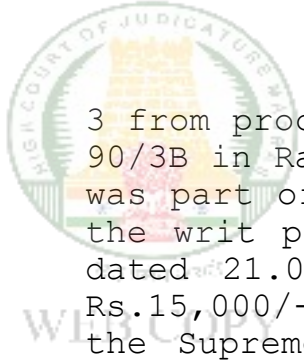
: Mr.B.Prahalad Ravi
: Mr.A.Muthukaruppan
Additional Government Pleader
for R1 & R2
Mr.K.Mu.Muthu for R3
Additional Government Pleader

O R D E R

G.R.SWAMINATHAN, J.

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

The writ petitioner wants us to forbear the respondents 1 to



3 from proceeding against the property comprised in S.Nos.81/1A1 and 90/3B in Rajakambeeram Village. Unfortunately, the very same prayer was part of the larger prayer in W.P.(MD) No.13053 of 2018 filed by the writ petitioner himself. The earlier Division Bench, by order dated 21.08.2018, dismissed the said writ petition with cost of Rs.15,000/-. As against the order of dismissal, the petitioner moved the Supreme Court, but withdrew the SLP. Therefore, the present writ petition is clearly not maintainable. The prayer now made forms part of the prayer in the earlier writ petition. When the earlier writ petition suffered dismissal, this Writ Petition will also have to suffer dismissal. Accordingly, the writ petition is dismissed. No costs. Consequently connected Miscellaneous Petition is closed.

Sd/-

Vacation Officer

// True Copy //

Sub Assistant Registrar(CS)

To

1.The District Collector
Madurai
Madurai District.

2.The Tahsildar,
Madurai East Taluk
Madurai District.

3.The Block Development Officer,
Madurai East Panchayat Union,
Madurai.

+1cc to Mr.B.Prahalad Ravi, Advocate, SR.No. 65587

Order made in
W.P.[MD]No.11862 of 2019
and W.M.P.(MD) No.8961 of 2019

RR

KK/SAR/17.05.2019/ 2P- 5C