



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 26.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.5135 of 2019 and
W.M.P. (MD) Nos.4125 & 4126 of 2019

1. O.Manickam
2. Dhanaraj
3. Mookan
4. Pitchai

... Petitioners

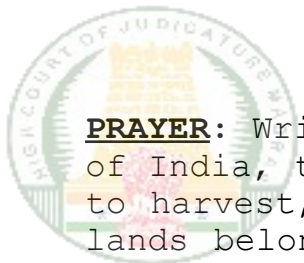
Vs.

1. The District Collector,
District Collectorate,
Madurai,
Madurai District.
2. The Superintendent of Police,
O/o. The Superintendent of Police,
Madurai, Madurai District.
3. The Deputy Superintendent of Police,
O/o. The Deputy Superintendent of Police,
Usilampatti Range,
Madurai District.
4. The Inspector of Police,
Usilampatti Police Station,
Usilampatti,
Madurai District.
5. The District Revenue Officer,
O/o. The District Revenue Officer,
Madurai, Madurai District.
6. The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Usilampatti Taluk,
Madurai District.
7. The Tahsildar,
O/o. The Tahsildar,
Usilampatti Taluk and Circle,
Madurai District.

8. M.Raja

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

... Respondents



PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing respondents 6 and 7 to harvest, secure and account the Paddy cultivated at agricultural lands belonging to the 'Poojai Vinayagar Temple to an extent of 98 Ares at Survey No.209/1B1 and 209/1B2 at Poduvarpatti Village, Usilampatti Taluk, Madurai District within the time stipulated by this Court.

For Petitioner	: Mr.S.Rajasekar
For R-1 to R-7	: Mr.M.Rajarajan, Government Advocate.
For R-8	: Mr.R.Anand, for M/s.S.Sathiya Chidambaram.

O R D E R

The prayer made in the Writ petition is that the revenue authorities must be mandated to harvest the Paddy cultivated in the petition mentioned lands. It appears that there is a civil dispute between the Writ petitioners and the eighth respondent. First Information Report has also been registered. The eighth respondent has filed O.S.No.83 of 2011 before the District Munsif Court, Usilampatti, for declaring his title over the land in question. The first petitioner along with two others wanted to get themselves impleaded in the suit proceedings. They filed I.A.No.529 of 2016 in O.S.No.83 of 2011. The civil Court by order dated 05.11.2016 dismissed the said impleading application. The petitioners did not question the said order. Therefore, I am of the view that this Writ petition is not maintainable.

2. This Writ petition stands dismissed, accordingly. The dismissal of this Writ petition will not cast any reflection on the right of the appellants in A.S.No.45 of 2017 on the file of the Subordinate Court, Usilampatti. The appeal will be independently dealt with on merits. No costs. Consequently, connected connected Miscellaneous petitions are closed.

Sd/-
Assistant Registrar

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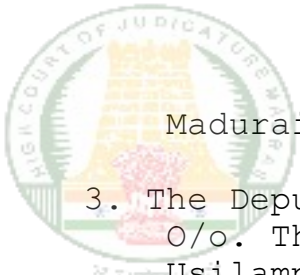
Sub Assistant Registrar(CS-IV)

To

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7. The Tahsildar,
O/o. The Tahsildar,
Usilampatti Taluk and Circle,
Madurai District.

+1cc to Special Government Pleader, SR.No.56937

+1cc to Mr.M/s.S.Sathiya Chidambaram,Advocate, SR.No.57008

+1cc to Mr.T.Lajapathi Roy,Advocate, SR.No.56823

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SP/28.03.2019/3P/11C