



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 09.12.2019**

CORAM:

**THE HONOURABLE MR.JUSTICE M.DURAI SWAMY
AND**

THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

W.P(MD)No.26067 of 2019

R.M.Vasudevan

... Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The District Revenue Officer,
Sivagangai District,
Sivagangai.

3.The Revenue Divisional Officer,
Devakottai,
Sivagangai District.

4.The Tahsildar,
Thiruppathur,
Sivagangai District.

5.The Block Development Officer,
Kallal Block,
Sivagangai District.

6.The Secretary,
Village Panchayat,
Kambanur Village,
Thirupathur Taluk,
Sivagangai District.

7.Natarajan

8.Madhimar Salasu

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 to 4 to consider the petitioner's representation dated 07.10.2019 and take necessary legal action against respondent No.7, consequently based on his representation dated 07.11.2019 direct the first respondent to give direction to the respondents 5 and 6 not to provide plan approval and house tax receipt for eighth respondent.



For Petitioner
For RR 1 to 4 & 6
For R - 5

: Mr.B.Veerapandi
: Mr.VR.Shanmuganathan,
Special Government Pleader.
: Mrs.S.Srimathy,
Special Government Pleader.

WEB COPY

ORDER

(Order of the Court was made by **M.DURAISWAMY, J.**)

The petitioner has filed the above Writ Petition as a Public Interest Litigation to issue a Writ of Mandamus, directing the respondents 1 to 4 to consider the petitioner's representation dated 07.10.2019 and take necessary legal action against seventh respondent and consequently based on his representation dated 07.11.2019 by directing the first respondent to give direction to the respondents 5 and 6 not to provide plan approval and house tax receipt for eighth respondent.

2.The petitioner has given a representation to the second respondent seeking for cancellation of patta and also the sale deed executed by the seventh respondent dated 12.09.2019. It is also brought to the notice of this Court that the petitioner has filed a suit in O.S.No.128 of 2019 on the file of the Principal District Munsif Court, Thirupathur seeking for declaration and permanent injunction.

3.The prayer sought for in the suit and the relief sought for in the representation given by the petitioner are identical.

4.When a civil suit is pending for the very same relief sought for in the representation given by the petitioner, the Writ Petition cannot be allowed. The petitioner can work out his remedy only before the civil Court for the relief sought for in the suit. With regard to cancellation of patta issued in favour of the seventh respondent, the petitioner has to work out his remedy in accordance with law.

5.In such view of the matter, we are not inclined to entertain the Writ Petition. Accordingly, the Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)



- 1.The District Collector,
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Sivagangai.
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Sivagangai District,
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- 4.The Tahsildar,
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- 5.The Block Development Officer,
Kallal Block,
Sivagangai District.
- 6.The Secretary,
Village Panchayat,
Kambanur Village,
Thirupathur Taluk,
Sivagangai District.

+1 CC to Mr.P.AJUTAGORE, Advocate (SR-103986[F] dated 09/12/2019)
+1 CC to SPL GP SR-104175, 104211

W.P (MD) No.26067 of 2019
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MK (30.12.2019) 3P 9C