



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **14.12.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **S.VAIDYANATHAN**

W.P(MD)No.18357 of 2020

Kalliammal

.. Petitioner

Vs.

1.The District Collector,
Virudhunagar District.

2.The District Revenue Officer,
District Collectorate Office,
Virudhunagar District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the second respondent to consider the petitioner's representation dated 22.10.2020 and to dispose of the petitioner's appeal No. 2/20722/2020 pending before the second respondent within the time frame as fixed by this Court.

For Petitioner : Mr.R.Prabu Ramachandran
For Respondents : Mr.M.Muniyasamy
Additional Government Pleader

ORDER

This writ petition has been filed for issuance of a direction to the respondent to dispose of the petitioner's appeal dated 22.10.2020 within the time frame as fixed by this Court.

2. By consent, the writ petition is taken up for disposal at the admission stage itself.

3. Mr.M.Muniyasamy, learned Additional Government Pleader takes notice for the respondents.

4. When the matter is taken up for hearing, it is represented by the learned Additional Government Pleader that already a Civil Suit is pending in this regard. It is further represented that in this writ petition, the other parties are not made as a party.

5. Since a Civil Suit is pending, the petitioner is not entitled to get the relief sought for in the writ petition and the remedy lies to the petitioner only before the Civil Court and this Court cannot look into the issue raised in this writ petition. The conduct of the petitioner in non-inclusion of the necessary persons in the writ petition as a party respondent, is highly deprecated. The petitioner is hereby warned that in case any litigation about the property in question, unless all the parties concerned are made as parties to the present case, the Court may impose cost which will



be exemplary.

6. Therefore, it is open to the respondent that after hearing the parties, who are interested and present before the Appellate Authority, and consider their request and dispose of the appeal of the petitioner dated 22.10.2020 and it is depending upon the outcome of the Civil Court proceedings.

7. Therefore, this writ petition stands disposed of by granting liberty to the petitioner to agitate his grievance before the appropriate forum. No Costs. It is needless to state that the Civil Court can proceed with the issue without adjourning the same beyond 15 working days at any point of time.

Sd/-

Assistant Registrar (CSIII)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

PJL

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The District Collector,
Virudhunagar District.

2.The District Revenue Officer,
District Collectorate Office,
Virudhunagar District.

+1 CC to M/s.R.PRABHU RAMACHANDRAN, Advocate (SR-25477[F] dated 15/12/2020)

+1 CC to M/s.SPL GP (SR-25577[F] dated 15/12/2020)

W.P (MD) No.18357 of 2020
14.12.2020

MJ(CO)

KB(29.12.2020) 2P 5C