



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.19850 of 2021

and

W.M.P.No.21111 of 2021

P.Thangamuthu

... Petitioner

-Vs-

1 The Block Development officer
Kangayam Tiruppur District.

2 The President
Velampalayam Panchayat Mangalapatti
Mangalapatti Post Kangayam Taluk Tiruppur
District.

3 K.Kaviyarasu

4 P.Revathi

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus Forbearing the 1st Respondent and 2nd respondent not to issue any approval plan or any other document with regard to the schedule mentioned property to the 3rd and 4th Respondents till the case pending before the Learned Sub Court Kangayam is disposed of based on petitioners representation dated 18.08.2021.

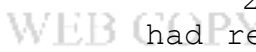
For Petitioner : Mr.C.S.Saravanan

For Respondent : Mr.M.Venkateswaran
Government Advocate - for RR 1 & 2

Mr.U.Baranidharan - for R3

O R D E R

This writ petition has been filed for the issue of a writ of Mandamus forbearing the first and second respondents not to



2. The case of the petitioner is that, the third respondent had received a loan from the petitioner and had also executed a pro-note. Since the amount was not repaid, a suit was filed in O.S.No.140 of 2020 on the file of the Sub Court, Kangeyam and the said suit is still pending. During the pendency of the suit, it seems that the third respondent had executed a settlement deed in favour of his wife, who is the fourth respondent with respect to the property. The petitioner apprehends that the third and fourth respondents are trying to create third party rights thereby defeating the rights of the petitioner.

4. Heard Mr.C.S.Saravanan, learned counsel for the petitioner, Mr.M.Venkateswaran, learned Government Advocate for the first and second respondents and Mr.U.Baranidharan, learned counsel for the third respondent.

6. In view of the above, it is left open to the petitioner to move appropriate application before the civil Court where the suit is pending and work out his remedy in accordance with law. Except giving this liberty, no further orders can be passed in this writ petition. This writ petition is disposed of



accordingly. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

KST

To

1. The Block Development officer,
Kangeyam, Tiruppur District.
2. The President,
Velampalayam Panchayat Mangalapatti,
Mangalapatti Post,
Kangeyam Taluk,
Tiruppur District.

+1cc to the Government Pleader, S.R.No.47871

W.P.No.19850 of 2021

RR(CO)
SU(06/10/2021)