



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.02.2021**

CORAM

THE HONOURABLE MR.JUSTICE **V.PARTHIBAN**

W.P(MD) No.1512 of 2021

S.Nagarajan

.. Petitioner

Vs

1.The District Collector,
Tirunelveli District.

2.The Superintendent of Police,
Tirunelveli District.

3.The Inspector of Police,
Veeravanallur Police Station,
Tirunelveli District.

4.The Tahsildar,
Ambasamudram Sub-Division,
Tirunelveli District.

5.S.Anantha Padmanaban

.. Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus, by directing the 4th respondent not to interfere into the administration of the temple called Sri Ganga Parameswari Amman, Sri Navaneedha Krishnan and the other deities available therein situated at Uppuvanipam Pudur, Veeravanallur, Tirunelveli District, which is the subject matter of a civil suit in O.S.No.78 of 2019, pending on the file of the learned Principal District Munsif, Cheranmahadevi, Tirunelveli District.

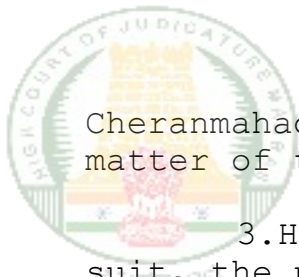
For Petitioner : Mr.R.Anandan

For R1 to R4 : Mr.R.Murugan,
Additional Government Pleader

ORDER

This writ petition has been filed seeking a direction to the 4th respondent not to interfere into the administration of the temple called Sri Ganga Parameswari Amman, Sri Navaneedha Krishnan and the other deities available therein situated at Uppuvanipam Pudur, Veeravanallur, Tirunelveli District, which is the subject matter of a civil suit in O.S.No.78 of 2019, pending on the file of the learned Principal District Munsif, Cheranmahadevi, Tirunelveli District.

2.Admittedly, the very same petitioner has filed a civil suit in O.S.No.78 of 2019 before the learned Principal District Munsif,
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Cheranmahadevi, Tirunelveli District, in regard to the subject matter of this writ petition.

3.Having chosen to go before the civil Court and filed a suit, the petitioner has approached this Court and filed the present writ petition for the same cause of action, after filing the suit. Therefore, on this ground alone this writ petition is liable to be dismissed.

4.When the petitioner has chosen to approach the civil court rightly, this Court is not inclined to entertain the writ petition any further. The attempt of the petitioner in filing the present writ petition would amount to forum shopping and such a practice should be deprecated and discouraged. In any event, since the petitioner has invoked the jurisdiction of the civil Court, this writ petition need not be entertained any further.

5.In view of the above, the writ petition stands dismissed. However, it always open to the petitioner to workout his remedy before the civil court in the pending suit. No costs. Consequently, connected miscellaneous petition is dismissed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

dsk

To

1.The District Collector,Tirunelveli District.

2.The Superintendent of Police,
Tirunelveli District.

3.The Inspector of Police,
Veeravanallur Police Station,
Tirunelveli District.

4.The Tahsildar,
Ambasamudram Sub-Division, Tirunelveli District.

+1 CC to M/s.SPL GP (SR-2855[F] dated 02/02/2021)

W.P(MD) No.1512 of 2021
01.02.2021

NA(CO)

KB(16.02.2021) 2P 6C

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