



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.02.2021

CORAM

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P (MD)No.12406 of 2020

and

W.M.P (MD)No.13279 of 2021

WEB COPY

G.Senthil Kumar

... Petitioner

Vs

1.The Maintenance Tribunal cum
Revenue Divisional Officer,
Devakottai, Sivagangai District.

2.Panchavarnam

3.Elavarasi

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, for issuance of a writ of certiorarified mandamus, calling for the records pertaining to impugned order in Na.Ka.Aa.1/1313/2020, dated 24.08.2020 passed by the 1st respondent as illegal and quash the same.

For Petitioner : Mr.S.Balasubaramania Iyer,

For Respondent : Mr.R.Murugan,
No.1 Additional Government Pleader

For Respondent : Mr.D.Venkatesh
Nos.2 and 3

ORDER

When the matter is taken up for hearing the learned Additional Government Pleader appearing for the 1st respondent has raised objection in regard to the maintainability of the writ petition, on the ground that as against the impugned order, the petitioner has also filed an appeal before the appellate authority, namely, the District Collector, Sivagangai.

2.As against the impugned order, the petitioner has already approached the appellate authority and therefore, it is not open to him to invoke the extraordinary jurisdiction of this Court



under Article 226 of the Constitution of India and therefore, this writ petition is dismissed as not maintainable. However, it is open to the petitioner to work out his remedy in the pending appeal. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar (RECORDS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

dsk

To

The Maintenance Tribunal cum
Revenue Divisional Officer,
Devakottai, Sivagangai District.

+1 CC to SPL GP (SR-7215[F] dated 25/02/2021)

W.P(MD)No.12406 of 2020

23.02.2021

KM (08.03.2021) 2P 3C