



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.01.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.1079 of 2022  
and  
WMP.No.1140 of 2022

Velraj

... Petitioner

Vs.

- 1 The Chief Manager  
Power Grid Corporation of India Ltd.,  
K.R.Thoppur, Salem District.
- 2 The Authorized Officer,  
Power Grid (NM), Transmission, 400 KV Sub Station,  
Konagapadi, RR Thoppur, Omalur Taluk,  
Salem-636 502.
- 3 The District Collector,  
Collectorate Campus, Salem-636 001.
- 4 The Revenue Divisional Officer,  
Collectorate Campus, Salem-636 001.
- 5 The Sub Registrar,  
Ayothiappattanam sub Registrar Office,  
Ayothiappattanam, Salem.
- 6 Poomalai Gounder .. Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents 1 and 2 or their sub-ordinates from disbursing the compensation amount in favor of 6th respondent or any other persons relating to the land in survey no. 59/1 59/2 and 59/3 situate at Keerapatti Village Vaazhapadi Taluk Salem District.

For Petitioner : Mr. C.Prabakaran

For Respondents : Mrs. Rita Chandrasekar (for R1)

Mrs. C.Sangamithirai (For R3&R4)  
Special Government Pleader



ORDER



respondent with regard to the compensation. In the absence of any restrained order from the competent authority, the petitioner has come up before this court praying not to disburse any compensation to the 6<sup>th</sup> respondent, which is injustice. However, this Writ Petition is not maintainable as the petitioner has filed an appeal before the 3<sup>rd</sup> respondent against the order of dismissal passed by the 4<sup>th</sup> respondent. Further, the petitioner has filed a suit before the trial Court for the very same dispute. Without exhausting the remedy before the third respondent and competent civil court, the petitioner filed this writ petition before this Court is not maintainable and the same is liable to be rejected.

5. Heard the learned counsel for the petitioner as well as the learned Standing Counsel appearing for the first respondent and the learned Special Government Pleader for the respondents 3 & 4, and perused the materials available on record.

6. It is admitted fact that the 6<sup>th</sup> respondent has executed a settlement deed in favour of his grandson, who is the petitioner herein. Thereafter, the 6<sup>th</sup> respondent made a complaint before the 4<sup>th</sup> respondent under Section 5 of the Maintenance and Welfare of Parents and Senior Citizens Act. After adjudication, the 4<sup>th</sup> respondent has passed an order dated 22.05.2021 to cancel the settlement deed executed in favour of the petitioner. For the very same issue, the petitioner has filed an appeal before the third respondent and also filed a suit before the civil Court. Again the petitioner has filed the writ petition for the same issue. Therefore, this Petition is not maintainable and the petitioner has to wait the outcome of the appeal or suit filed by him.

7. Considering the facts and circumstances of the case as well as the submissions so made by the learned counsel appearing on both sides, this writ petition is dismissed. However, the petitioner is at liberty to work out his remedy in the manner known to law. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

rli



To

- 1 The Chief Manager  
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Ayothiapattanam, Salem.

+1cc to the Government Pleader, S.R.No.5608

W.P.No.1079 of 2022  
and  
WMP.No.1140 of 2022

GPL (CO)  
SU (21/02/2022)