



WEB COPY



W.P.No.17182 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P. No.17182 of 2022
and W.M.P.No.16467 of 2022

Parammal Viswalal

.. Petitioner

Versus

1.The Sub-Magistrate
Mahe

2.The State Rep. by Station House Officer
Mahe Police Station
Mahe

3.Balakrishnan

4.Anjali

5.Pandmni Sushama

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, pleaded to issue a Writ of Mandamus, directing the 1st respondent to dispose of the petitioner's petition in C.M.P.No.16 of 2021 in M.C.No.26 of 2018 on the basis of the notice dated 09.09.2021 issued by the 1st respondent.

For Petitioner : Mr.G.Jeremiah

For Respondents : Mr.V.Balamurugane for R1 and R2
Public Prosecutor (Pondy)



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ORDER

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The Writ Petition has been filed seeking for issuance of Writ of Mandamus to direct the 1st respondent to dispose of the petitioner's petition in C.M.P.No.16 of 2021 in M.C.No.26 of 2018 on the basis of the notice dated 09.09.2021 issued by the 1st respondent.

2. According to the petitioner, on 26.11.2019, there was a dispute between him and the respondents 3 to 5 with respect to the disputed property namely Valiyapurayil House, Parakkal, Mahe which culminated the first respondent to initiate proceedings in M.C.No.26 of 2018. Further, on 26.11.2019, the first respondent granted an order of status quo, however, the petitioner had filed a petition to initiate contempt proceedings in C.M.P.No.16 of 2021 in M.C.No.26 of 2018 stating that the respondents 3 to 5 had violated the order of status quo. Upon which, on 09.09.2021, the first respondent issued notice both the parties to appear before the first respondent on 13.09.2021 so as to show cause the allegations. It is the further grievance of the petitioner that no proceedings were conducted and the same is still pending. Hence, this writ petition.



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3. The learned counsel for the petitioner prayed this Court that a direction may be issued to the first respondent to dispose of the petitioner's petition in C.M.P.No.16 of 2021 in M.C.No.26 of 2018 pending on the file of the first respondent within a time-limit as fixed by this Hon'ble Court.

4. The learned Public Prosecutor (Pondy) appearing for the respondents 1 and 2 submitted that the said petition in C.M.P.No.16 of 2021 in M.C.No.26 of 2018 will be disposed of within a period of two weeks.

5. Recording the submission of the learned Public Prosecutor (Pondy) and considering the limited relief sought for by the petitioner, this Court, without going into merits of the case, directs the first respondent to dispose of the petitioner's petition in C.M.P.No.16 of 2021 in M.C.No.26 of 2018, on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this Order.



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6. With the aforesaid direction, this Writ Petition stands disposed of.

No costs. Consequently, connected miscellaneous petition stands closed.

05.07.2022

dhk

Index : Yes/No

Internet: Yes/No

Note: Issue Order Copy on 07.07.2022

To

1. The Sub-Magistrate
Mahe

2. The State Rep. by Station House Officer
Mahe Police Station
Mahe

3. The Public Prosecutor
Pondichery



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N. SATHISH KUMAR, J.

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