



W.P(MD)No.17013 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.08.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.17013 of 2022

and

W.M.P.(MD)No.12379 of 2022

N.Nattarayan

... Petitioner

Vs.

1.The District Collector,
Office of the Collectorate,
Madurai.

2.The Tahsildar,
Madurai West Taluk,
Madurai.

3.Thirumalaivelu

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records relating to the 2nd respondent proceedings in Na.Ka.No.2318/2022/C dated 22.07.2022 and quash the same.

For Petitioner : Mr.A.P.Muthupandian

For Respondents : Mr.M.Sarangan,
Addl. Government Pleader for R1 & R2.
Mr.P.Samuel Gunasingh for R3.



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ORDER

Heard the learned counsel for the writ petitioner and the learned Additional Government Pleader for the respondents 1 and 2.

2.This writ petition is not maintainable. As rightly pointed out by the learned Additional Government Pleader for the respondents 1 and 2, the impugned order is only a consequential proceedings. The primary order is the judgment of conviction and sentence suffered by the petitioner in a case arising under Section 138 of Negotiable Instruments Act. The petitioner had been directed to pay compensation. The second respondent is duty bound to enforce the said order. That is why the impugned notice has been given calling upon the petitioner to pay the compensation amount. If the petitioner fails to pay the compensation amount, further action under the Tamil Nadu Revenue Recovery Act will be taken. The petitioner's counsel states that the petitioner is proposing to move the Hon'ble Supreme Court. The second respondent cannot be expected to wait indefinitely. If the petitioner succeeds before the Hon'ble Supreme Court, then obviously the impugned proceedings will abide by outcome of those proceedings. No interference is called for at this stage.



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3. Leaving open the other rights of the petitioner, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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