



W.P(MD)No.20083 of 2015

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.12.2022

CORAM:

**THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P(MD)No.20083 of 2015
and
M.P(MD)No.1 of 2015**

N.Thasaratha Perumal

... Petitioner

VS.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Sub Collector / Revenue Divisional Officer,
Sivakasi,
Virudhunagar District.

3.The Tahsildar,
Srivilliputtur Taluk,
Virudhunagar District.

4.Jeyachandran

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari, to call for the records of the third respondent in proceedings in Na.Ka.No.A1/12464/2015, dated 28.10.2015 and quash the same.



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For Petitioner : Mr.M.Jothi Basu
For RR 1 to 3 : Mr.P.Thilak Kumar
Government Pleader
For R – 4 : Mr.R.J.Karthick

ORDER

(Order of the Court was made by D. KRISHNAKUMAR, J.)

Challenging the eviction notice issued by the third respondent, dated 28.10.2015, the petitioner has filed the present Writ Petition.

2. After the eviction notice issued by the third respondent, the petitioner filed a suit in O.S.No.325 of 2015 on the file of the Principal District Munsif Court, Srivilliputhur, seeking for the relief of declaration and the same is pending.

3. The learned counsel appearing for the petitioner has fairly submitted that the civil Court shall decide the suit independently without being influenced by any of the subsequent action taken place in the pending Writ Petition.



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4. The learned counsels appearing for the respondents have no serious objection and the said suit can be decided independently based on its own merits.

5. In view of the statement made by the parties, nothing survives for adjudication in the Writ Petition. The parties concerned shall work out their remedy before the civil Court. It is made clear that the said suit shall be decided by the civil Court, independently, based on its own merits. Accordingly, this Writ Petition is closed. No costs. Consequently, connected Miscellaneous Petition is closed.

[D.K.K.,J.] [R.V.,J.]
15.12.2022

Index : Yes / No

Internet : Yes

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To

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D.KRISHNAKUMAR,J.
and
R.VIJAYAKUMAR,J.

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ORDER MADE IN
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