



Writ Petition No.8613 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.8613 of 2023

and

W.M.P.No.8785 of 2023

Tamilarasu

S/o.Kandasamy

... Petitioner

Vs.

Periyanaickenpalayam Panchayat,
represented by its Executive Officer,
Periyanaickenpalayam,
Coimbatore District.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent not to interfere with the petitioner's business carrying on shop No.28, Ground Floor Periyanaickenpalayam Panchayat, Periyanaickenpalayam, Coimbatore and extent the lease period of another 3 years from 01.04.2023 to 31.03.2026 by considering the representation dated 26.12.2022, 10.01.2023 & 19.01.2023.

For Petitioner : Mr.B.Kumarasamy

For Respondent : Mr.V.Ravi
Special Government Pleader

ORDER



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This writ petition has been filed for issuance of a writ of mandamus directing the respondent not to interfere with the business carried on by the petitioner and to grant extension of lease period.

2. When the writ petition was taken up for hearing, learned Special Government Pleader appearing on behalf of the respondent brought to the notice of this Court the earlier order passed in W.P.No.1158 of 2022, dated 28.01.2022.

3. The petitioner had approached this Court with the very similar relief and the said writ petition was permitted to be withdrawn by an order dated 28.01.2022 by giving liberty to the petitioner to participate in the auction to be conducted in future. The above order has been suppressed by the petitioner and the present writ petition has been filed before this Court.

4. Learned counsel for the petitioner submitted that he was not informed about the filing of earlier writ petition by the petitioner.

5. The present writ petition is a clear abuse of process of Court



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and it has been filed by suppressing the earlier writ petition filed in
W.P.No.1158 of 2022.

In view of the same, this writ petition is dismissed by imposing costs of Rs.5,000/- [Rupees Five Thousand only] on the petitioner payable to the Tamil Nadu Legal Services Authority. The costs shall be paid within a period of four (4) weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

17.04.2023

Neutral Citation: Yes/No
Index: yes/no
Speaking Order/Non-Speaking Order
gm

To

The Executive Officer,
Periyanaickenpalayam Panchayat,
Periyanaickenpalayam,
Coimbatore District.

N.ANAND VENKATESH, J



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