



W.P(MD)No.223 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.02.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.223 of 2023
and
W.M.P.(MD)No.193 of 2023

P.Varathappan

... Petitioner

Vs.

1.The District Collector,
Collectorate,
Karur District.

2.The Revenue Divisional Officer,
Kulithalai,
Karur District.

3.The Tahsildar,
Kadavur Taluk,
Karur District.

4.P.Kamaraj

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to forbear the second respondent from proceedings with enquiry in Na.Ka.A1/2700/2019, dated 09.12.2022 on his file, till the disposal of civil suit in O.S.No.232 of 2019 on the file of the Sub Court, Kulithalai which was pending for the very same subject matter.



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For Petitioner : Mr.AN.Ramanathan

For Respondents : Mr.B.Saravanan
Additional Government Pleader for R1 to R3

: Mr.S.M.Mohan Gandhi for R4

ORDER

Heard the learned counsel on either side.

2. The petitioner challenges the summon issued by the second respondent calling upon the petitioner to appear for enquiry into the complaint lodged by the fourth respondent. The summon has been issued pursuant to the order dated 07.11.2022 passed by the Hon'ble Division Bench in W.P.(MD)No.21710 of 2021. The said Writ Petition was filed by the fourth respondent and the petitioner herein was shown as fourth respondent. The petitioner had also appeared through counsel. The impugned summon by itself does not violate the rights of the petitioner. The authority is proposing to hold only an enquiry. If any adverse order is passed, the aggrieved persons can always knock the doors of the Court again. At this stage, no interfere is called for.



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3. The Writ Petition is dismissed. The petitioner is given four more weeks. The petitioner shall appear before the second respondent on 31.03.2023 at 03.00 pm., No costs. Consequently, connected miscellaneous petition is closed.

24.02.2023

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

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