



W.P(MD)No.797 of 2023

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 12.01.2023

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.P(MD)No.797 of 2023  
and  
W.M.P.(MD)No.777 of 2023

Kalaiselvam

... Petitioner

**Vs.**

1.The District Collector,  
Collector Office,  
Madurai District.

2.The Tahsildar,  
Collector Office Campus,  
Madurai North Taluk,  
Madurai District.

3.Thenatchi

4.Kumaresan

... Respondents

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the 2nd to 4th respondents from trespassing into the petitioners land in S.F.No.50/12B3 with an extent of 12 cents out of 20 cents southern side in which a temple namely Sri Kazugu Muneeswarar Kovil exists and consequently direct the 1st respondent to take departmental action against the 2nd respondent in due process of law.



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For Petitioner : Mr.N.Senthilkumaran

For Respondents : Mr.M.Lingadurai,  
Spl. Government Pleader for R1 & R2.

### **ORDER**

Heard the learned counsel for the writ petitioner and the learned Special Government Pleader for the official respondents.

2.After carefully going through the entire averments set out in the writ affidavit, I am satisfied that the relief is essentially sought only against the private respondents. It is also seen that civil dispute between the parties is pending at the stage of second appeal. The petitioner can very well file an interim application in the said second appeal and pray for relief.

3.Granted liberty to the petitioner to file an interim application in the pending the second appeal, the writ petition is disposed of. I make it clear that I have not gone into the merits of the matter. Consequently, connected miscellaneous petition is closed.

**12.01.2023**

NCS : Yes/No  
Index : Yes / No  
Internet : Yes/ No  
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Madurai District.
- 2.The Tahsildar,  
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**G.R.SWAMINATHAN, J.**

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