



W.P(MD)No.8061 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:11.04.2023

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD).No.8061 of 2023

Sundaramoorthi

... Petitioner

Vs

1. The Revenue Divisional Officer,
Sivagangai, Sivagangai District.
2. The Tahsildar,
Manamadurai Taluk, Sivagangai District.
3. Suguna

... Respondents

Prayer:Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, praying for a direction to directing the first Respondent not to conduct the proceedings in Na.Ka.A3/11140/20222 16.02.2023, on the basis of appeal petition filed by the third respondent.

For Petitioner

:Mr. G.Hariharan,

For R1 and R2

:Mr.J.Ashok
Additional Government Pleader



W.P(MD)No.8061 of 2023

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ORDER

Heard, Mr. G.Hariharan, learned counsel appears on behalf of the petitioner and Mr.J.Ashok, learned Additional Government Pleader, learned counsel appears on behalf of the first and second respondents.

2.The third respondent is a beneficiary of the order in WP(MD)No.12563 of 2013, dated 15.11.2022, in which, the petitioner herein was the fourth respondent. On the basis of the said order, the first respondent is now proceeding further with the appeal filed by the third respondent.

3.The learned counsel for the petitioner states that a civil suit had been filed and he had also obtained a favourable order in the civil Court. The pendency of the suit was not brought to the knowledge of the learned Judge in WP(MD)No.12563 of 2013, dated 15.11.2022. This Court cannot interfere with the proceedings, when there is an earlier order passed by this Court. The petitioner has to work out his remedy in the manner known to law, other than by filing a writ petition which has created multiplicity of proceedings.



W.P(MD)No.8061 of 2023

4.Even without issuing notice to the third respondent and without examining the facts of the case, this writ petition stands dismissed. No costs.

5.It is clarified that “dismissed” does not mean that the facts had been examined. The order in the earlier writ petition stands at the face of this Court.

11.04.2023

NCS :Yes/No
Index :Yes/No
Internet:Yes/No

PNM

To

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Sivagangai, Sivagangai District.
2. The Tahsildar,
Manamadurai Taluk, Sivagangai District.



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W.P(MD)No.8061 of 2023

C.V.KARTHIKEYAN,J.

PNM

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