



W.P(MD)No.8848 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 18.04.2023

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

**W.P(MD)No.8848 of 2023
and
W.M.P(MD)No.8071 of 2023**

K.Krishnasamy

... Petitioner

Vs.

- 1.The District Collector,
Collectorate,
Raja Colony,
Trichy.
- 2.The Sub Collector (Revenue),
Collectorate,
Raja Colony,
Trichy.
- 3.The Commissioner,
City Corporation,
Trichy.
- 4.The Joint Commissioner,
Ariyamangalam Division,
Trichy.



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5.The Tahsildar,
Taluk Office,
Ariyamangalam,
Trichy.

6.K.Doraisamy
7.D.Vigneshwaran

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, forbearing the respondents 1-5 from changing any revenue records in respect of Uyyangondan Sub-Channel runs between S.No.2/3B2B2 and S.No.3/3 in Varaganeri Village, Trichy till the disposal of the O.S.No. 375/2022 on the file of the Sub-Court, Trichy.

For Petitioner : Mr.N.Mohan

For Respondents : Mr.K.Balasubramani
Special Government Pleader
for R.1, R.2 & R.5

Mr.K.R.Kishore Ram
for M/s.R.B.Associates for R.3 & R.4

ORDER

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

2.This writ petition is not maintainable in view of the decision of the Hon'ble Apex Court reported in *AIR 1952 SC 12 (State of Orissa Vs Madan*



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Gopal Rungta). The Hon'ble Apex Court had held that the final relief sought for in a writ petition cannot be in the nature of interim relief. The petitioner wants this Court to restrain the official respondents from changing the revenue records till the disposal of suit filed by the petitioner. Such a relief cannot be sought for in writ proceeding. Since this writ petition is not maintainable, it stands dismissed. We make it clear that we have not gone into the merits of the matter. All the other contentions of the petitioner are left open. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [B.P., J.]
18.04.2023

NCC : Yes / No
Internet : Yes / No
Index : Yes / No
MGA

To

1.The Sub-Court,
Trichy.

2.The District Collector,
Collectorate,
Raja Colony,
Trichy.

3.The Sub Collector (Revenue),
Collectorate,
Raja Colony, Trichy.



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G.R.SWAMINATHAN, J

and

B.PUGALENDHI, J.

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4.The Commissioner,
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